H.B. No. 4559

AN ACT

relating to the application of statutes that classify political subdivisions according to population.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 147.003(a), Agriculture Code, is amended to read as follows:

(a)  A person pursuing the business of selling mules, horses, jacks, or jennets in a county with a population of not less than 2.1 [~~1.8~~] million nor more than 2.2 [~~1.9~~] million is not subject to this chapter as a livestock auction commission merchant.

SECTION 2.  Section 148.001, Agriculture Code, is amended to read as follows:

Sec. 148.001.  DEFINITION. In this chapter, "slaughterer" means a person engaged in the business of:

(1)  slaughtering livestock for profit; or

(2)  selling livestock, as a primary business, to be slaughtered by the purchaser on premises owned or operated by the seller, in a county:

(A)  with a population of 1.2 [~~one~~] million or more;

(B)  in which [~~that contains~~] two or more municipalities with a population of 280,000 [~~250,000~~] or more are wholly or primarily located;

(C)  that is adjacent to a county described by Paragraph (B); or

(D)  that is adjacent to a county described by Paragraph (C) and:

(i)  has a population of not more than 55,000 [~~50,000~~] and contains a municipality with a population of at least 20,000; or

(ii)  in which [~~contains, wholly or partly,~~] two or more municipalities with a population of 280,000 [~~250,000~~] or more are partly located.

SECTION 3.  Section 109.57(e), Alcoholic Beverage Code, is amended to read as follows:

(e)  A municipality located in a county that has a population of 2.2 million or more and that is adjacent to a county with a population of more than 850,000 [~~600,000~~] or a municipality located in a county with a population of 850,000 [~~600,000~~] or more and that is adjacent to a county with a population of 2.2 million or more may regulate, in a manner not otherwise prohibited by law, the location of an establishment issued a permit under Chapter 32 if:

(1)  the establishment derives 35 percent or more of the establishment's gross revenue from the on-premises sale or service of alcoholic beverages and the premises of the establishment are located in a dry area; and

(2)  the permit is not issued to a fraternal or veterans organization or the holder of a food and beverage certificate.

SECTION 4.  Section 251.726(a), Alcoholic Beverage Code, is amended to read as follows:

(a)  This section applies only to a municipality that has within its boundaries all or part of an international airport operated jointly by two municipalities and:

(1)  that is:

(A)  partially located in three counties, two of which have a population of 2.1 [~~1.8~~] million or more; and

(B)  primarily located in a county with a population of 2.1 [~~1.8~~] million or more; or

(2)  that:

(A)  is partially located in five counties, one of which:

(i)  has a population of 2.1 [~~1.8~~] million or more; and

(ii)  is adjacent to a county with a population of 2.2 million or more;

(B)  is subject to a limited purpose annexation and development agreement under Subchapter G, Chapter 212, Local Government Code; and

(C)  may annex an area on request of the owners of land in the area under Subchapter C-3, Chapter 43, Local Government Code.

SECTION 5.  Section 251.727(a), Alcoholic Beverage Code, is amended to read as follows:

(a)  This section applies only to:

(1)  a municipality that contains U.S. Highway 287 and State Highway 294 and is located in a county with a population of not less than 57,000 and not more than 59,000 on September 1, 2021; or

(2)  a municipality that:

(A)  has a municipal boundary located not more than 1.5 miles from an automobile racetrack with a seating capacity of more than 100,000;

(B)  has a population of more than 5,000 [~~1,000~~] and less than 5,500 [~~3,000~~]; and

(C)  is located entirely within a county with a population of more than 650,000 that is adjacent to two counties, each of which has a population of more than 1.8 million.

SECTION 6.  Section 251.742(b), Alcoholic Beverage Code, is amended to read as follows:

(b)  This section applies only to a municipality that:

(1)  has a population of 15,000 or more; and

(2)  is located in two counties one of which:

(A)  has a population of 340,000 or more;

(B)  contains a municipality in which at least 85 percent of the county's population resides; and

(C) [~~(B)~~]  borders the Gulf of Mexico.

SECTION 7.  Article 2.21(g), Code of Criminal Procedure, is amended to read as follows:

(g)  A clerk in a county with a population of less than 2.5 [~~two~~] million must provide written notice by mail to the attorney representing the state in the case and the attorney representing the defendant before disposing of an eligible exhibit.

SECTION 8.  Article 45.014(d), Code of Criminal Procedure, is amended to read as follows:

(d)  In a county with a population of more than 2.5 [~~two~~] million that does not have a county attorney, a justice or judge may not issue a warrant under this section for an offense under Section 32.41, Penal Code, unless the district attorney has approved the complaint or affidavit on which the warrant is based.

SECTION 9.  Article 45.019(g), Code of Criminal Procedure, is amended to read as follows:

(g)  In a county with a population of more than 2.5 [~~two~~] million that does not have a county attorney, a complaint for an offense under Section 32.41, Penal Code, must be approved by the district attorney, regardless of whether a collection proceeding is initiated by the district attorney under Section 32.41(e), Penal Code.

SECTION 10.  Article 46B.084(a)(2), Code of Criminal Procedure, is amended to read as follows:

(2)  Notwithstanding Subdivision (1), in a county with a population of less than 1.2 [~~one~~] million or in a county with a population of four million or more, as soon as practicable following the date of the defendant's return to the court, the court shall provide the notice required by that subdivision to the attorney representing the state and the attorney for the defendant, and the attorney for the defendant shall meet and confer with the defendant as soon as practicable after the date of receipt of that notice.

SECTION 11.  Article 46B.084(a-1)(2), Code of Criminal Procedure, is amended to read as follows:

(2)  Notwithstanding Subdivision (1), in a county with a population of less than 1.2 [~~one~~] million or in a county with a population of four million or more, the court shall make the determination described by that subdivision not later than the 20th day after the date on which the court received notification under Article 46B.079, regardless of whether a party objects to the report as described by that subdivision and the issue is set for a hearing under Subsection (b).

SECTION 12.  Article 46B.084(d)(2), Code of Criminal Procedure, is amended to read as follows:

(2)  Notwithstanding Subdivision (1), in a county with a population of less than 1.2 [~~one~~] million or in a county with a population of four million or more, on the court's own motion criminal proceedings in the case against the defendant shall be resumed as soon as practicable after the date of the court's determination under this article that the defendant's competency has been restored.

SECTION 13.  Section 1, Article 49.25, Code of Criminal Procedure, is amended to read as follows:

Sec. 1.  OFFICE AUTHORIZED.  Subject to the provisions of this article, the commissioners court of any county having a population of more than 2.5 [~~two~~] million shall establish and maintain the office of medical examiner, and the commissioners court of any county may establish and provide for the maintenance of the office of medical examiner.  Population shall be according to the last preceding federal census.

SECTION 14.  Articles 102.014(a), (b), (f), and (g), Code of Criminal Procedure, are amended to read as follows:

(a)  The governing body of a municipality with a population greater than 1.3 million [~~850,000~~] according to the most recent federal decennial census that has adopted an ordinance, regulation, or order regulating the stopping, standing, or parking of vehicles as allowed by Section 542.202, Transportation Code, or Chapter 682, Transportation Code, shall by order assess on each parking violation a fine of not less than $2 and not to exceed $5.

(b)  The governing body of a municipality with a population less than 1.3 million [~~850,000~~] according to the most recent federal decennial census that has adopted an ordinance, regulation, or order regulating the stopping, standing, or parking of vehicles as allowed by Section 542.202, Transportation Code, or Chapter 682, Transportation Code, may by order assess on each parking violation a fine not to exceed $5.

(f)  In a municipality with a population greater than 1.3 million [~~850,000~~] according to the most recent federal decennial census, the officer collecting a fine in a municipal court case shall deposit money collected under this article in the municipal child safety trust fund established as required by Chapter 106, Local Government Code.

(g)  In a municipality with a population less than 1.3 million [~~850,000~~] according to the most recent federal decennial census, the money collected under this article in a municipal court case must be used for a school crossing guard program if the municipality operates one. If the municipality does not operate a school crossing guard program or if the money received from fines from municipal court cases exceeds the amount necessary to fund the school crossing guard program, the municipality may:

(1)  deposit the additional money in an interest-bearing account;

(2)  expend the additional money for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or

(3)  expend the additional money for programs designed to enhance public safety and security.

SECTION 15.  Section 11.0581(a), Education Code, is amended to read as follows:

(a)  An election for trustees of an independent school district shall be held on the same date as:

(1)  the election for the members of the governing body of a municipality located in the school district;

(2)  the general election for state and county officers;

(3)  the election for the members of the governing body of a hospital district, if the school district:

(A)  is wholly or partly located in a county with a population of less than 50,000 [~~40,000~~] that is adjacent to a county with a population of more than three million; and

(B)  held its election for trustees jointly with the election for the members of the governing body of the hospital district before May 2007; or

(4)  the election for the members of the governing board of a public junior college district in which the school district is wholly or partly located.

SECTION 16.  Section 11.065(a), Education Code, is amended to read as follows:

(a)  Sections 11.052(g) and (h) and Sections 11.059(a) and (b) do not apply to the board of trustees of a school district if:

(1)  the district's central administrative office is located in a county with a population of more than 2.5 [~~two~~] million; and

(2)  the district's student enrollment is more than 125,000 and less than 200,000.

SECTION 17.  Section 11.151(f), Education Code, is amended to read as follows:

(f)  For purposes of this section, a county board of education, as defined by a board of county school trustees, and office of county school superintendent in a county with a population of 2.5 [~~2.2~~] million or more and that is adjacent to a county with a population of more than one million [~~800,000~~] are included within the definition of a school district and subject to the oversight of the agency.

SECTION 18.  Section 25.093(b), Education Code, is amended to read as follows:

(b)  The attendance officer or other appropriate school official shall file a complaint against the parent in:

(1)  the constitutional county court of the county in which the parent resides or in which the school is located, if the county has a population of 2.1 [~~1.75~~] million or more;

(2)  a justice court of any precinct in the county in which the parent resides or in which the school is located; or

(3)  a municipal court of the municipality in which the parent resides or in which the school is located.

SECTION 19.  Sections 37.011(a-2) and (a-3), Education Code, are amended to read as follows:

(a-2)  For purposes of this section and Section 37.010(a), a county with a population greater than 125,000 is considered to be a county with a population of 125,000 or less if the county:

(1)  has a population of 195,000 [~~180,000~~] or less;

(2)  is adjacent to two counties, each of which has a population of more than 1.7 million; and

(3)  has seven or more school districts located wholly within the county's boundaries.

(a-3)  For purposes of this section and Section 37.010(a), a county with a population greater than 125,000 is considered to be a county with a population of 125,000 or less if the county:

(1)  has a population of more than 200,000 and less than 233,500 [~~220,000~~];

(2)  has five or more school districts located wholly within the county's boundaries; and

(3)  has located in the county a juvenile justice alternative education program that, on May 1, 2011, served fewer than 15 students.

SECTION 20.  Section 38.007(b), Education Code, is amended to read as follows:

(b)  The board of trustees of a school district shall attempt to provide a safe alcohol-free environment to students coming to or going from school. The board of trustees may cooperate with local law enforcement officials and the Texas Alcoholic Beverage Commission in attempting to provide this environment and in enforcing Sections 101.75, 109.33, and 109.59, Alcoholic Beverage Code. Additionally, the board, if a majority of the area of a district is located in a municipality with a population of 1.3 million [~~900,000~~] or more, may petition the commissioners court of the county in which the district is located or the governing board of an incorporated city or town in which the district is located to adopt a 1,000-foot zone under Section 109.33, Alcoholic Beverage Code.

SECTION 21.  Section 45.105(e), Education Code, is amended to read as follows:

(e)  The governing body of an independent school district that governs a junior college district under Subchapter B, Chapter 130, in a county with a population of more than 2.5 [~~two~~] million may dedicate a specific percentage of the local tax levy to the use of the junior college district for facilities and equipment or for the maintenance and operating expenses of the junior college district.  To be effective, the dedication must be made by the governing body on or before the date on which the governing body adopts its tax rate for a year.  The amount of local tax funds derived from the percentage of the local tax levy dedicated to a junior college district from a tax levy may not exceed the amount that would be levied by five percent of the no-new-revenue tax rate for the tax year calculated as provided by Section 26.04, Tax Code, on all property taxable by the school district.  All real property purchased with these funds is the property of the school district, but is subject to the exclusive control of the governing body of the junior college district for as long as the junior college district uses the property for educational purposes.

SECTION 22.  Section 51.214(a), Education Code, is amended to read as follows:

(a)  In any municipality with a population of 1.18 million or more located primarily in a county with a population of 2.5 [~~2~~] million or more, the governing board of a private, nonprofit medical corporation, or of the parent corporation of such medical corporation, that provides police or security services for an institution of higher education or a private postsecondary educational institution located within one of the medical corporation's or parent corporation's medical complexes, or that provides police or security services for another medical complex legally affiliated with or owned, leased, managed, or controlled by the medical corporation or parent corporation, may employ and commission police or security personnel to enforce the law of this state within the jurisdiction designated by Subsection (c).

SECTION 23.  Section 53A.49(a), Education Code, is amended to read as follows:

(a)  In the same manner that a corporation may issue bonds under this chapter for an institution of higher education, a corporation created under Section 53A.35(b) may issue bonds to finance or refinance educational facilities to be used by a school that:

(1)  is located in a county with a population of more than 2.5 [~~two~~] million;

(2)  is located within three miles of an area designated as an enterprise zone under Chapter 2303, Government Code;

(3)  provides primary and secondary education to at least 1,000 students;

(4)  is accredited by an organization approved by the Texas Education Agency for private school accreditation; and

(5)  is owned and operated by a corporation created under the Texas Nonprofit Corporation Law, as described by Section 1.008(d), Business Organizations Code [~~Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes)~~].

SECTION 24.  Section 61.0764(b), Education Code, is amended to read as follows:

(b)  The board shall select one licensed hospital located in a county that borders the United Mexican States and that has a population of [~~at least 700,000 and not~~] more than 870,000 [~~800,000~~] to participate in the pilot program.  The hospital must be accredited by The Joint Commission and:

(1)  have been issued:

(A)  a certificate of approval to offer a program of instruction by the Texas Workforce Commission under Subchapter C, Chapter 132; or

(B)  a certificate of authority to award a degree for a program of study by the board under Subchapter G of this chapter;

(2)  be accredited to offer a degree program by the appropriate recognized regional accrediting agency; or

(3)  must:

(A)  have entered into a partnership with an institution of higher education to offer dual credit courses under the pilot program; and

(B)  be seeking authorization to offer a program of instruction or study as described by Subdivision (1) or accreditation to offer a degree program as described by Subdivision (2).

SECTION 25.  Section 130.082(i), Education Code, is amended to read as follows:

(i)  The election of trustees of a countywide junior or community college district that contains a city with a population of more than 1.18 million located primarily in a county with a population of 2.5 [~~2~~] million or more shall be held on the first Saturday in April of each even-numbered year.  When a runoff election is necessary, the board may order the election for a date to coincide with the date of the runoff election for city officials, if the city is holding a runoff election;  otherwise, the board shall set the date of the runoff election for not later than three weeks following the regular election.

SECTION 26.  Section 31.039(g), Election Code, is amended to read as follows:

(g)  Section 31.035(b) does not apply to a person employed on a full-time basis by the administrator's office in a county with a population of 1.2 [~~one~~] million or less that has an election administrator.

SECTION 27.  Section 31.160(e), Election Code, is amended to read as follows:

(e)  The joint elections administrator for a county with a population of 1.2 [~~one~~] million or more that has an elections administrator is subject to Section 31.035 in the same manner as a county elections administrator.  A person employed on a full-time basis by the joint elections administrator's office for that county is subject to Section 31.035 in the same manner as the joint elections administrator.

SECTION 28.  Section 85.066(b), Election Code, is amended to read as follows:

(b)  For a countywide election in a county with a population of more than 3.3 [~~2.5~~] million and a primary election in a county with a population of more than 1 million in which temporary branch polling places are established under Section 85.062(d)(1), the commissioners court may limit voting at a temporary branch polling place to the voters of particular state representative districts. To the extent practicable, the state representative districts shall be grouped so that the temporary branch polling places in each group serve substantially equal numbers of voters. A maximum of four groups of state representative districts may be established under this subsection.

SECTION 29.  Section 143.005(e), Election Code, is amended to read as follows:

(e)  If the city charter of a home-rule city with a population of more than 1.18 million located primarily in a county with a population of 2.5 [~~2~~] million or more that holds nonpartisan elections for its offices requires both a petition and a $50 fee to be filed for a candidate's name to be placed on the ballot, those requirements supersede this section.

SECTION 30.  Section 172.024(a), Election Code, is amended to read as follows:

(a)  The filing fee for a candidate for nomination in the general primary election is as follows:

(1)  United States senator $5,000

(2)  office elected statewide, except United States senator 3,750

(3)  United States representative 3,125

(4)  state senator 1,250

(5)  state representative 750

(6)  member, State Board of Education 300

(7)  chief justice or justice, court of appeals, other than a justice specified by Subdivision (8) 1,875

(8)  chief justice or justice of a court of appeals that serves a court of appeals district in which a county with a population of more than 1.2 [~~one~~] million is wholly or partly situated 2,500

(9)  district judge or judge specified by Section 52.092(d) for which this schedule does not otherwise prescribe a fee 1,500

(10)  district or criminal district judge of a court in a judicial district wholly contained in a county with a population of more than 1.5 million 2,500

(11)  judge, statutory county court, other than a judge specified by Subdivision (12) 1,500

(12)  judge of a statutory county court in a county with a population of more than 1.5 million 2,500

(13)  district attorney, criminal district attorney, or county attorney performing the duties of a district attorney . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 1,250

(14)  county commissioner, district clerk, county clerk, sheriff, county tax assessor-collector, county treasurer, or judge, constitutional county court:

(A)  county with a population of 200,000 or more . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 1,250

(B)  county with a population of under 200,000 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 750

(15)  justice of the peace or constable:

(A)  county with a population of 200,000 or more . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 1,000

(B)  county with a population of under 200,000 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 375

(16)  county surveyor 75

(17)  office of the county government for which this schedule does not otherwise prescribe a fee 750

SECTION 31.  Section 65.004(a), Family Code, is amended to read as follows:

(a)  The following are designated as truancy courts:

(1)  in a county with a population of 2.1 [~~1.75~~] million or more, the constitutional county court;

(2)  justice courts; and

(3)  municipal courts.

SECTION 32.  Section 84.002(a), Family Code, is amended to read as follows:

(a)  On the request of the prosecuting attorney in a county with a population of more than 2.5 [~~two~~] million or in a county in a judicial district that is composed of more than one county, the district court shall set the hearing on a date and time not later than 20 days after the date the application is filed or 20 days after the date a request is made to reschedule a hearing under Section 84.003.

SECTION 33.  Section 105.009(m), Family Code, as added by Chapter 1171 (H.B. 3531), Acts of the 79th Legislature, Regular Session, 2005, is amended to read as follows:

(m)  A course under this section in a suit filed in a county with a population of more than 2.5 [~~two~~] million that is adjacent to a county with a population of more than one million must be available in both English and Spanish.

SECTION 34.  Section 26.045(d), Government Code, is amended to read as follows:

(d)  A county court in a county with a population of 2.1 [~~1.75~~] million or more has original jurisdiction over cases alleging a violation of Section 25.093, Education Code, or alleging truant conduct under Section 65.003(a), Family Code.

SECTION 35.  Section 27.055(g), Government Code, is amended to read as follows:

(g)  This subsection applies to a county with a population of at least 135,000 [~~120,000~~] but not more than 145,000 [~~130,000~~], with territory less than 940 square miles that includes a state park, and with not more than two justice precincts provided that at least one of the precincts contains all or part of a municipality with a population of at least 195,000 [~~190,000~~] but not more than 205,000 [~~200,000~~].  The county judge of a county to which this subsection applies may appoint a qualified person to serve as a temporary justice of the peace for the precinct within which a municipality or part of a municipality is located to hold court and perform the duties of the justice when necessary to dispose of accumulated business in the precinct.

SECTION 36.  Section 51.501(c), Government Code, is amended to read as follows:

(c)  The commissioners court of a county that has a population of 5,415 [~~5,800~~] to 5,515 [~~5,900~~] shall determine whether the county shall have a joint clerk but may not take action to prevent a district clerk, county clerk, or joint clerk from serving the full term of office to which the clerk was elected.

SECTION 37.  Section 54.1171, Government Code, is amended to read as follows:

Sec. 54.1171.  APPLICATION OF SUBCHAPTER. This subchapter applies to a constitutional county court in a county with a population of 2.1 [~~1.75~~] million or more.

SECTION 38.  Section 54.1951, Government Code, is amended to read as follows:

Sec. 54.1951.  APPLICATION OF SUBCHAPTER. This subchapter applies to a constitutional county court in a county that:

(1)  has a population of more than 820,000 [~~585,000~~]; and

(2)  is contiguous to a county with a population of at least four million.

SECTION 39.  Section 62.011(b), Government Code, is amended to read as follows:

(b)  A plan authorized by this section for the selection of names of prospective jurors must:

(1)  be proposed in writing to the commissioners court by a majority of the district and criminal district judges of the county at a meeting of the judges called for that purpose;

(2)  specify that the source of names of persons for jury service is the same as that provided by Section 62.001 and that the names of persons listed in a register of persons exempt from jury service may not be used in preparing the record of names from which a jury list is selected, as provided by Sections 62.108 and 62.109;

(3)  provide a fair, impartial, and objective method of selecting names of persons for jury service with the aid of electronic or mechanical equipment;

(4)  designate the district clerk, or in a county with a population of at least 1.7 million and in which more than 70 [~~75~~] percent of the population resides in a single municipality, a bailiff appointed as provided under Section 62.019, as the officer in charge of the selection process and define the officer's duties; and

(5)  provide that the method of selection either will use the same record of names for the selection of persons for jury service until that record is exhausted or will use the same record of names for a period of time specified by the plan.

SECTION 40.  Section 62.0145, Government Code, is amended to read as follows:

Sec. 62.0145.  REMOVAL OF CERTAIN PERSONS FROM POOL OF PROSPECTIVE JURORS. Except as provided by Section 62.0146, if a written summons for jury service sent by a sheriff, constable, or bailiff is undeliverable, the county or district clerk may remove from the jury wheel the jury wheel card for the person summoned or the district clerk, or in a county with a population of at least 1.7 million and in which more than 70 [~~75~~] percent of the population resides in a single municipality, a bailiff appointed as provided under Section 62.019, may remove the person's name from the record of names for selection of persons for jury service under Section 62.011.

SECTION 41.  Section 62.021, Government Code, is amended to read as follows:

Sec. 62.021.  DISMISSAL OF JUROR REMOVED FROM PANEL. In a county with a population of 2.5 [~~two~~] million or more, a prospective juror removed from a jury panel for cause, by peremptory challenge or for any other reason, must be dismissed from jury service.  After dismissal, the person may not be placed on another jury panel until the person's [~~his~~] name is returned to the jury wheel and drawn again for jury service.

SECTION 42.  Sections 403.302(c-1) and (e-1), Government Code, are amended to read as follows:

(c-1)  This subsection applies only to a school district whose central administrative office is located in a county with a population of 10,000 [~~9,000~~] or less and a total area of more than 6,000 square miles.  If after conducting the study for a tax year the comptroller determines that the local value for a school district is not valid, the comptroller shall adjust the taxable value determined under Subsections (a) and (b) as follows:

(1)  for each category of property sampled and tested by the comptroller in the school district, the comptroller shall use the weighted mean appraisal ratio determined by the study, unless the ratio is more than four percentage points lower than the weighted mean appraisal ratio determined by the comptroller for that category of property in the immediately preceding study, in which case the comptroller shall use the weighted mean appraisal ratio determined in the immediately preceding study minus four percentage points;

(2)  the comptroller shall use the category weighted mean appraisal ratios as adjusted under Subdivision (1) to establish a value estimate for each category of property sampled and tested by the comptroller in the school district; and

(3)  the value estimates established under Subdivision (2), together with the local tax roll value for any categories not sampled and tested by the comptroller, less total deductions determined by the comptroller, determine the taxable value for the school district.

(e-1)  This subsection applies only to a reinvestment zone created by a municipality that has a population of 83,000 [~~70,000~~] or less and is located in a county in which all or part of a military installation is located.  Notwithstanding Subsection (e), if on or after January 1, 2017, the municipality adopts an ordinance designating a termination date for the zone that is later than the termination date designated in the ordinance creating the zone, the number of years for which the total dollar amount may be deducted under Subsection (d)(4) is limited to the duration of the zone as determined under Section 311.017, Tax Code.

SECTION 43.  Section 476.0002, Government Code, is amended to read as follows:

Sec. 476.0002.  ELIGIBILITY AS ENDORSING MUNICIPALITY. Only a municipality with a population of one million [~~850,000~~] or more is eligible as an endorsing municipality under this chapter.

SECTION 44.  Section 477.0002, Government Code, is amended to read as follows:

Sec. 477.0002.  ELIGIBILITY AS ENDORSING MUNICIPALITY. Only a municipality with a population of one million [~~850,000~~] or more is eligible as an endorsing municipality under this chapter.

SECTION 45.  Section 533.00257(j), Government Code, is amended to read as follows:

(j)  The [~~Notwithstanding Subsection (i), the~~] commission may not delay providing medical transportation program services through a managed transportation delivery model in:

(1)  a county with a population of one million [~~750,000~~] or more:

(A)  in which all or part of a municipality with a population of one million or more is located; and

(B)  that is located adjacent to a county with a population of 2.5 [~~two~~] million or more; or

(2)  a county with a population of at least 60,000 [~~55,000~~] but not more than 70,000 [~~65,000~~] that is located adjacent to a county with a population of at least 500,000 but not more than 1.5 million.

SECTION 46.  Section 791.037(b), Government Code, is amended to read as follows:

(b)  This section applies only to a county with a population of more than 1.7 [~~1.5~~] million in which more than 70 [~~75~~] percent of the population resides in a single municipality.

SECTION 47.  Section 803.0021, Government Code, is amended to read as follows:

Sec. 803.0021.  APPLICATION OF CHAPTER. This chapter applies only to:

(1)  a retirement system for general municipal employees in a municipality with a population of not less than 950,000 [~~750,000~~] nor more than 1,050,000 [~~850,000~~];

(2)  the Employees Retirement System of Texas, the Teacher Retirement System of Texas, the Judicial Retirement System of Texas Plan One, the Judicial Retirement System of Texas Plan Two, the Texas County and District Retirement System, and the Texas Municipal Retirement System; and

(3)  a retirement system that makes an election under Section 803.101(f).

SECTION 48.  Section 851.0011(a), Government Code, is amended to read as follows:

(a)  This section applies only with respect to a municipality:

(1)  with a population of less than 200,000;

(2)  that is located in a county with a population of not less than 2.5 [~~2~~] million and not more than 4 million;

(3)  that has a regularly organized fire department for

which a retirement system and fund have been established under Section 4, Texas Local Fire Fighters Retirement Act (Article 6243e, Vernon's Texas Civil Statutes); and

(4)  that before January 1, 2017, has one or more departments participating in the retirement system.

SECTION 49.  The heading to Section 1331.051, Government Code, is amended to read as follows:

Sec. 1331.051.  LIMITATION ON BONDED DEBT: MUNICIPALITY WITH POPULATION OF 950,000 [~~750,000~~] OR MORE.

SECTION 50.  Section 1331.051(a), Government Code, is amended to read as follows:

(a)  This section applies only to a municipality with a population of 950,000 [~~750,000~~] or more.

SECTION 51.  Section 1371.001(4), Government Code, is amended to read as follows:

(4)  "Issuer" means:

(A)  a home-rule municipality that:

(i)  adopted its charter under Section 5, Article XI, Texas Constitution;

(ii)  has a population of 50,000 or more; and

(iii)  has outstanding long-term indebtedness that is rated by a nationally recognized rating agency for municipal securities in one of the four highest rating categories for a long-term obligation;

(B)  a conservation and reclamation district created and organized as a river authority under Section 52, Article III, or Section 59, Article XVI, Texas Constitution;

(C)  a joint powers agency organized and operating under Chapter 163, Utilities Code;

(D)  a metropolitan rapid transit authority, regional transportation authority, or coordinated county transportation authority created, organized, or operating under Chapter 451, 452, or 460, Transportation Code;

(E)  a conservation and reclamation district organized or operating as a navigation district under Section 52, Article III, or Section 59, Article XVI, Texas Constitution;

(F)  a district organized or operating under Section 59, Article XVI, Texas Constitution, that has all or part of two or more municipalities within its boundaries;

(G)  a state agency, including a state institution of higher education;

(H)  a hospital authority created or operating under Chapter 262 or 264, Health and Safety Code, in a county that:

(i)  has a population of more than 3.3 million; or

(ii)  is included, in whole or in part, in a standard metropolitan statistical area of this state that includes a county with a population of more than 2.5 [~~2.2~~] million;

(I)  a hospital district in a county that has a population of more than 2.5 [~~two~~] million;

(J)  a nonprofit corporation organized to exercise the powers of a higher education loan authority under Section 53B.47(e), Education Code;

(K)  a county:

(i)  that has a population of more than 3.3 million [~~or more~~]; or

(ii)  that, on the date of issuance of obligations under this chapter, has authorized, outstanding, or any combination of authorized and outstanding, indebtedness of at least $100 million secured by and payable from the county's ad valorem taxes and the authorized long-term indebtedness of which is rated by a nationally recognized rating agency of securities issued by local governments in one of the four highest rating categories for a long-term obligation;

(L)  an independent school district that has an average daily attendance of 50,000 or more as determined under Section 48.005, Education Code;

(M)  a municipality or county operating under Chapter 334, Local Government Code;

(N)  a district created under Chapter 335, Local Government Code;

(O)  a junior college district that has a total headcount enrollment of 40,000 or more based on enrollment in the most recent regular semester; or

(P)  an issuer, as defined by Section 1201.002, that has:

(i)  a principal amount of at least $100 million in outstanding long-term indebtedness, in long-term indebtedness proposed to be issued, or in a combination of outstanding or proposed long-term indebtedness; and

(ii)  some amount of long-term indebtedness outstanding or proposed to be issued that is rated in one of the four highest rating categories for long-term debt instruments by a nationally recognized rating agency for municipal securities, without regard to the effect of any credit agreement or other form of credit enhancement entered into in connection with the obligation.

SECTION 52.  Section 1372.002(g), Government Code, is amended to read as follows:

(g)  Subsection (f) applies only to an applicant created by a municipal housing authority established by a municipality that is:

(1)  adjacent to an international boundary of this state; and

(2)  [~~that is~~] located in a county that contains a municipality with a population of more than 500,000 [~~800,000~~].

SECTION 53.  Section 1431.001(2), Government Code, is amended to read as follows:

(2)  "Eligible countywide district" means a flood control district or a hospital district the boundaries of which are substantially coterminous with the boundaries of a county with a population of three million or more or a hospital district created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 54.  The heading to Chapter 1476, Government Code, is amended to read as follows:

CHAPTER 1476. CERTIFICATES OF INDEBTEDNESS IN COUNTIES WITH POPULATION OF MORE THAN 2.5 [~~TWO~~] MILLION

SECTION 55.  Section 1476.001(a), Government Code, is amended to read as follows:

(a)  This chapter applies only to a county with a population of more than 2.5 [~~two~~] million.

SECTION 56.  Section 1477.301, Government Code, is amended to read as follows:

Sec. 1477.301.  APPLICABILITY OF SUBCHAPTER. This subchapter applies only to a county:

(1)  with a population of more than 3.3 million; or

(2)  with a population of more than 90,000 that borders the United Mexican States other than a county that contains three or more municipalities that each have a population of more than 23,000 [~~17,500~~].

SECTION 57.  Section 1502.070(a), Government Code, is amended to read as follows:

(a)  Management and control of a utility system may be vested in:

(1)  the municipality's governing body; or

(2)  a board of trustees named in the proceedings adopted by the municipality and consisting of not more than:

(A)  five members, one of whom must be the mayor of the municipality;

(B)  seven members, one of whom must be the mayor of the municipality, if the municipality is located in a county that:

(i)  contains a municipality with a population of at least 500,000 [~~800,000~~]; and

(ii)  [~~that~~] is located on an international border; or

(C)  seven members, one of whom must be the mayor of the municipality, if the municipality is located in a county:

(i)  with a population of at least 375,000;

(ii)  that is located on an international border; and

(iii)  that borders the Gulf of Mexico.

SECTION 58.  The heading to Subchapter E, Chapter 1503, Government Code, is amended to read as follows:

SUBCHAPTER E. ADDITIONAL POWERS OF MUNICIPALITIES WITH POPULATION OF 1.9 [~~1.2~~] MILLION OR MORE

SECTION 59.  The heading to Subchapter F, Chapter 1504, Government Code, is amended to read as follows:

SUBCHAPTER F. REVENUE BONDS FOR CULTURAL FACILITIES IN HOME-RULE MUNICIPALITIES WITH POPULATION OF 1.9 [~~1.2~~] MILLION OR MORE

SECTION 60.  Section 1506.101, Government Code, is amended to read as follows:

Sec. 1506.101.  APPLICABILITY OF SUBCHAPTER. This subchapter applies only to a municipality that:

(1)  is located on the Gulf of Mexico or on a channel, canal, bay, or inlet connected to the Gulf of Mexico; and

(2)  has a population of:

(A)  more than 53,000 [~~47,500~~] and less than 84,000 [~~73,000~~]; or

(B)  more than 115,000 [~~117,000~~] and less than 160,000.

SECTION 61.  The heading to Subchapter D, Chapter 1506, Government Code, is amended to read as follows:

SUBCHAPTER D.  REVENUE BONDS FOR PARKING AND TRANSPORTATION FACILITIES IN MUNICIPALITIES WITH POPULATION OF MORE THAN 1.1 MILLION [~~650,000~~]

SECTION 62.  Section 1509.002(b), Government Code, is amended to read as follows:

(b)  This section applies only to a municipality that:

(1)  has a population of more than 17,000 but less than 18,000; and

(2)  is located in two counties [~~with populations of 550,000 or more but less than 4.2 million~~].

SECTION 63.  The heading to Subchapter C, Chapter 1509, Government Code, is amended to read as follows:

SUBCHAPTER C. BONDS FOR FARMERS' MARKETS IN MUNICIPALITIES WITH POPULATION OF MORE THAN 1.1 MILLION [~~650,000~~]

SECTION 64.  Section 2051.0441(a), Government Code, is amended to read as follows:

(a)  This section applies only to a notice published by a governmental entity or representative in a county:

(1)  with a population of at least 30,000 and not more than 42,000 [~~39,000~~] that borders the Red River; or

(2)  that does not have a newspaper described by Section 2051.044 published in the county.

SECTION 65.  Section 2306.6710(b), Government Code, is amended to read as follows:

(b)  If an application satisfies the threshold criteria, the department shall score and rank the application using a point system that:

(1)  prioritizes in descending order criteria regarding:

(A)  financial feasibility of the development based on the supporting financial data required in the application that will include a project underwriting pro forma from the permanent or construction lender;

(B)  quantifiable community participation with respect to the development, evaluated on the basis of a resolution concerning the development that is voted on and adopted by the following, as applicable:

(i)  the governing body of a municipality in which the proposed development site is to be located;

(ii)  subject to Subparagraph (iii), the commissioners court of a county in which the proposed development site is to be located, if the proposed site is to be located in an area of a county that is not part of a municipality; or

(iii)  the commissioners court of a county in which the proposed development site is to be located and the governing body of the applicable municipality, if the proposed site is to be located in the extraterritorial jurisdiction of a municipality;

(C)  the income levels of tenants of the development;

(D)  the size and quality of the units;

(E)  the rent levels of the units;

(F)  the cost of the development by square foot;

(G)  the services to be provided to tenants of the development;

(H)  whether, at the time the complete application is submitted or at any time within the two-year period preceding the date of submission, the proposed development site is located in an area declared to be a disaster under Section 418.014;

(I)  quantifiable community participation with respect to the development, evaluated on the basis of written statements from any neighborhood organizations on record with the state or county in which the development is to be located and whose boundaries contain the proposed development site; and

(J)  the level of community support for the application, evaluated on the basis of a written statement from the state representative who represents the district containing the proposed development site;

(2)  uses criteria imposing penalties on applicants or affiliates who have requested extensions of department deadlines relating to developments supported by housing tax credit allocations made in the application round preceding the current round or a developer or principal of the applicant that has been removed by the lender, equity provider, or limited partners for its failure to perform its obligations under the loan documents or limited partnership agreement;

(3)  encourages applicants to provide free notary public service to the residents of the developments for which the allocation of housing tax credits is requested; and

(4)  for an application concerning a development that is or will be located in a county with a population of 1.2 [~~1~~] million or more but less than 4 million and that is or will be located not more than two miles from a veterans hospital, veterans affairs medical center, or veterans affairs health care center, encourages applicants to provide a preference for leasing units in the development to low income veterans.

SECTION 66.  Section 34.020(b), Health and Safety Code, is amended to read as follows:

(b)  The commission, in consultation with the task force, shall develop a program to deliver prenatal and postpartum care through telehealth services or telemedicine medical services to pregnant women with a low risk of experiencing pregnancy-related complications, as determined by a physician.  The commission shall implement the program in:

(1)  at least two counties with populations of more than 2.5 [~~two~~] million;

(2)  at least one county with a population of more than 100,000 and less than 500,000; and

(3)  at least one rural county with high rates of maternal mortality and morbidity as determined by the commission in consultation with the task force.

SECTION 67.  Section 61.056(c), Health and Safety Code, is amended to read as follows:

(c)  A hospital district created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003, may affiliate with any public or private entity to provide regional administration and delivery of health care services.  The regional affiliation, in accordance with the affiliation agreement, shall use money contributed by an affiliated governmental entity to provide health care services to an eligible resident of that governmental entity.

SECTION 68.  Section 61.056(d), Health and Safety Code, as added by Chapter 217 (S.B. 1063), Acts of the 81st Legislature, Regular Session, 2009, is amended to read as follows:

(d)  A hospital district created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003, may provide or arrange to provide health care services for eligible residents through the purchase of health coverage or other health benefits, including benefits described by Chapter 75.  For purposes of this subsection, the board of managers of the district has the powers and duties provided to the commissioners court of a county under Chapter 75.

SECTION 69.  Section 141.0025(a), Health and Safety Code, is amended to read as follows:

(a)  The department may grant a waiver from the requirements of this chapter to a program that:

(1)  is sponsored by a religious organization as defined by Section 464.051;

(2)  has been in operation for at least 30 consecutive years;

(3)  operates one camp for not more than seven days in any year;

(4)  has not more than 80 campers;

(5)  is conducted by adult participants who are all volunteers;

(6)  operates in a county with a population of at least 4,000 [~~4,400~~] but not more than 4,350 [~~4,750~~]; and

(7)  ensures that background checks are conducted on and the training required under Section 141.0095 is completed by each adult participating in the program.

SECTION 70.  Section 262.034(e), Health and Safety Code, is amended to read as follows:

(e)  This section applies only to an authority that owns or operates a hospital licensed under Chapter 241 and that is located in:

(1)  a county with a population of 225,000 or less;

(2)  those portions of extended municipalities that the federal census bureau has determined to be rural;

(3)  an area that is not delineated as an urbanized area by the federal census bureau; or

(4)  a municipality with a population of less than 12,000 and a county with a population of 3.3 [~~2.5~~] million or more at the time the authority begins operating a facility or providing a service described by Subsection (a).

SECTION 71.  Section 263.025, Health and Safety Code, is amended to read as follows:

Sec. 263.025.  HOSPITAL OPERATING FUNDS USED FOR IMPROVEMENTS IN CERTAIN COUNTIES [~~OF 24,500 TO 25,500~~]. The commissioners court of a county with a population of 24,000 or more but less than 24,500 or a population of 24,700 or more but less than 27,000 [~~to 25,500~~] may use excess money in the county hospital operating fund for making permanent improvements to the county hospital and for the payment of county bonds issued for the construction and improvement of a county hospital facility.

SECTION 72.  Section 281.004(a-1), Health and Safety Code, is amended to read as follows:

(a-1)  The ballot for an election under this chapter held in a county with a population of more than 1.2 million [~~800,000~~] that is not included in the boundaries of a hospital district before September 1, 2003, shall be printed to provide for voting for or against the proposition: "The creation of a hospital district and the levy of a tax not to exceed 25 cents on each $100 of the taxable value of property taxable by the district."

SECTION 73.  Sections 281.021(b) and (d), Health and Safety Code, are amended to read as follows:

(b)  The commissioners court of a county with a population of more than 2.1 [~~1.8~~] million but less than 2.5 [~~1.9~~] million in which a district is created under this chapter shall appoint a board composed of not less than five or more than 15 members.

(d)  If a district is created under this chapter in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003, the district shall be governed by a nine-member board of hospital managers, appointed as follows:

(1)  the commissioners court of the county shall appoint four members;

(2)  the governing body of the municipality with the largest population in the county shall appoint four members; and

(3)  the commissioners court and the governing body of the municipality described by Subdivision (2) shall jointly appoint one member.

SECTION 74.  Section 281.0281(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to a district created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 75.  Section 281.02815(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to a district created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 76.  Section 281.0475(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to a district created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 77.  Section 281.0511(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to a district created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 78.  Section 281.056(b-1), Health and Safety Code, is amended to read as follows:

(b-1)  The county attorney, district attorney, or criminal district attorney, as appropriate, with the duty to represent the county in civil matters shall, in all legal matters, represent a district located in:

(1) a county [~~with a population of 800,000 or more~~] that borders the United Mexican States and in which a municipality with a population of 500,000 or more is located;

(2)  a county with a population of 3.4 million or more; or

(3)  a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 79.  Section 281.122(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to a district created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 80.  Section 281.124(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to a district created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 81.  Section 285.002, Health and Safety Code, is amended to read as follows:

Sec. 285.002.  APPLICABILITY OF SUBCHAPTER.  This subchapter applies only to a county having:

(1)  a population of:

(A)  at least 1.2 million [~~800,000~~]; or

(B)  at least 830,000 and not more than 870,000; and

(2)  a countywide hospital district that:

(A)  has taxes imposed and collected by the commissioners court of the county; and

(B)  has teaching hospital facilities affiliated with a state-owned or private medical school.

SECTION 82.  The heading to Chapter 290, Health and Safety Code, is amended to read as follows:

CHAPTER 290. COUNTY HEALTH CARE FUNDING DISTRICTS IN CERTAIN COUNTIES WITH POPULATION OF 2.1 [~~1.8~~] MILLION OR LESS

SECTION 83.  Section 290.002, Health and Safety Code, is amended to read as follows:

Sec. 290.002.  CREATION OF DISTRICT.  A district is created in each county that has a population of 2.1 [~~1.8~~] million or less and in which a municipality with a population of 1.1 million or more is predominantly located.

SECTION 84.  Section 291.002, Health and Safety Code, is amended to read as follows:

Sec. 291.002.  APPLICABILITY.  This chapter applies only to a county that:

(1)  is not served by a hospital district or a public hospital;

(2)  is located in the Texas-Louisiana border region, as that region is defined by Section 2056.002, Government Code; and

(3)  has a population of more than 51,000 [~~50,000~~] but less than 65,000.

SECTION 85.  Section 291A.002, Health and Safety Code, is amended to read as follows:

Sec. 291A.002.  APPLICABILITY.  This chapter applies only to:

(1)  a county that:

(A)  is not served by a hospital district or a public hospital;

(B)  has a population of more than 75,000; and

(C)  borders or includes a portion of the Sam Rayburn Reservoir; and

(2)  a county that has a population of more than 200,000 and less than 233,500 [~~220,000~~].

SECTION 86.  Section 292.002, Health and Safety Code, is amended to read as follows:

Sec. 292.002.  APPLICABILITY.  This chapter applies only to a county that is not served by a hospital district and:

(1)  is located in the Texas-Louisiana border region, as that region is defined by Section 2056.002, Government Code, and has a population of more than 90,000 but less than 200,000; or

(2)  has a population of less than 51,000 and is adjacent to a county with a population of more than 200,000 but less than 233,500 [~~220,000~~].

SECTION 87.  Section 292C.002, Health and Safety Code, is amended to read as follows:

Sec. 292C.002.  APPLICABILITY.  This chapter applies only to a county that:

(1)  contains a hospital district that is not countywide;

(2)  has a population of more than 125,000 but less than 135,000; and

(3)  borders Oklahoma.

SECTION 88.  Section 293C.002, Health and Safety Code, is amended to read as follows:

Sec. 293C.002.  APPLICABILITY.  This chapter applies only to a county that:

(1)  is not served by a hospital district or a public hospital;

(2)  has a population of more than 140,000 [~~125,000~~] and less than 155,000 [~~140,000~~]; and

(3)  is not adjacent to a county with a population of 1.2 [~~one~~] million or more.

SECTION 89.  Section 294.002, Health and Safety Code, is amended to read as follows:

Sec. 294.002.  APPLICABILITY.  This chapter applies only to a county that:

(1)  is not served by a hospital district or a public hospital;

(2)  contains a private institution of higher education with a student enrollment of more than 12,000; and

(3)  has a population of less than 265,000 [~~250,000~~].

SECTION 90.  Section 295.002, Health and Safety Code, is amended to read as follows:

Sec. 295.002.  APPLICABILITY.  This chapter applies only to a municipality that:

(1)  is not served by a hospital district or a public hospital;

(2)  is located on the Gulf of Mexico or on a channel, canal, bay, or inlet connected to the Gulf of Mexico; and

(3)  has a population of more than 115,000 [~~117,000~~] and less than 145,000.

SECTION 91.  Section 296.002, Health and Safety Code, is amended to read as follows:

Sec. 296.002.  APPLICABILITY.  This chapter applies only to a county that:

(1)  is not served by a hospital district or a public hospital; and

(2)  has a population of less than 235,000 [~~200,000~~] and contains two municipalities both with populations of 83,000 [~~75,000~~] or more.

SECTION 92.  Section 296A.002, Health and Safety Code, is amended to read as follows:

Sec. 296A.002.  APPLICABILITY.  This chapter applies only to a county that:

(1)  is not served by a hospital district or a public hospital; and

(2)  has a population of less than 600,000 and borders two counties both with populations of 1.1 [~~one~~] million or more.

SECTION 93.  Section 298E.002, Health and Safety Code, is amended to read as follows:

Sec. 298E.002.  APPLICABILITY.  This chapter applies only to a hospital district created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 94.  Section 341.0358(g), Health and Safety Code, is amended to read as follows:

(g)  This section also applies to:

(1)  a municipality with a population of more than 42,500 [~~36,000~~] and less than 48,000 [~~41,000~~] located in two counties, one of which is a county with a population of more than 2.1 [~~1.8~~] million;

(2)  a municipality, including any industrial district within the municipality or its extraterritorial jurisdiction, with a population of more than 15,000 [~~7,000~~] and less than 45,700 [~~30,000~~] located in a county with a population of more than 235,000 [~~155,000~~] and less than 255,000 [~~180,000~~]; and

(3)  a municipality, including any industrial district within the municipality or its extraterritorial jurisdiction, with a population of more than 32,000 [~~11,000~~] and less than 35,000 [~~18,000~~] located in two counties [~~a county with a population of more than 125,000 and less than 230,000~~].

SECTION 95.  Section 341.03585(b), Health and Safety Code, is amended to read as follows:

(b)  This section applies only to:

(1)  a municipality, including any industrial district within the municipality or its extraterritorial jurisdiction, with a population of more than 15,000 [~~7,000~~] and less than 45,700 [~~30,000~~] located in a county with a population of more than 235,000 [~~155,000~~] and less than 255,000 [~~180,000~~]; and

(2)  a municipality, including any industrial district within the municipality or its extraterritorial jurisdiction, with a population of more than 32,000 [~~11,000~~] and less than 35,000 [~~18,000~~] located in two counties [~~a county with a population of more than 125,000 and less than 230,000~~].

SECTION 96.  Section 343.011(c), Health and Safety Code, is amended to read as follows:

(c)  A public nuisance is:

(1)  keeping, storing, or accumulating refuse on premises in a neighborhood unless the refuse is entirely contained in a closed receptacle;

(2)  keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood or within 300 feet of a public street for 10 days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;

(3)  maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests;

(4)  allowing weeds to grow on premises in a neighborhood if the weeds are located within 300 feet of another residence or commercial establishment;

(5)  maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment or because it constitutes a fire hazard;

(6)  maintaining on abandoned and unoccupied property in a neighborhood a swimming pool that is not protected with:

(A)  a fence that is at least four feet high and that has a latched and locked gate; and

(B)  a cover over the entire swimming pool that cannot be removed by a child;

(7)  maintaining on any property in a neighborhood in a county with a population of more than 1.3 [~~1.1~~] million a swimming pool that is not protected with:

(A)  a fence that is at least four feet high and that has a latched gate that cannot be opened by a child; or

(B)  a cover over the entire swimming pool that cannot be removed by a child;

(8)  maintaining a flea market in a manner that constitutes a fire hazard;

(9)  discarding refuse or creating a hazardous visual obstruction on:

(A)  county-owned land; or

(B)  land or easements owned or held by a special district that has the commissioners court of the county as its governing body;

(10)  discarding refuse on the smaller of:

(A)  the area that spans 20 feet on each side of a utility line; or

(B)  the actual span of the utility easement;

(11)  filling or blocking a drainage easement, failing to maintain a drainage easement, maintaining a drainage easement in a manner that allows the easement to be clogged with debris, sediment, or vegetation, or violating an agreement with the county to improve or maintain a drainage easement;

(12)  discarding refuse on property that is not authorized for that activity; or

(13)  surface discharge from an on-site sewage disposal system as defined by Section 366.002.

SECTION 97.  Section 364.011(a-2), Health and Safety Code, is amended to read as follows:

(a-2)  Notwithstanding Subsection (a), a commissioners court may, through a competitive bidding process, contract for the provision of solid waste collection, handling, storage, and disposal in an area of the county located within the extraterritorial jurisdiction of a municipality if:

(1)  the municipality does not provide solid waste disposal services in that area; and

(2)  the county has a population of more than 1.5 million and at least 70 [~~75~~] percent of the population resides in a single municipality.

SECTION 98.  Section 364.0341(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to a municipality wholly or partly located in a county with a population of more than 57,000 [~~54,000~~] and less than 57,900 [~~54,500~~].

SECTION 99.  Section 382.218(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to a county [~~with a population of 800,000 or more~~] that borders the United Mexican States and in which a municipality with a population of 500,000 or more is located.

SECTION 100.  Sections 711.008(b) and (d), Health and Safety Code, are amended to read as follows:

(b)  Subsection (a) does not apply to:

(1)  a cemetery heretofore established and operating;

(2)  the establishment and use of a columbarium by an organized religious society or sect that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, as part of or attached to the principal church building owned by the society or sect;

(3)  the establishment and use of a columbarium by an organized religious society or sect that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, on land that:

(A)  is owned by the society or sect; and

(B)  is part of the campus on which an existing principal church building is located;

(4)  the establishment and use of a columbarium on the campus of a private or independent institution of higher education, as defined by Section 61.003, Education Code, that is wholly or substantially controlled, managed, owned, or supported by or otherwise affiliated with an organized religious society or sect that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, if a place of worship is located on the campus;

(5)  the establishment and use of a mausoleum that is:

(A)  constructed beneath the principal church building owned by an organized religious society or sect that:

(i)  is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code; and

(ii)  has recognized religious traditions and practices of interring the remains of ordained clergy in or below the principal church building; and

(B)  used only for the interment of the remains of ordained clergy of that organized religious society or sect;

(6)  the establishment and operation, if authorized in accordance with Subsection (h), of a perpetual care cemetery by an organized religious society or sect that:

(A)  is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code;

(B)  has been in existence for at least five years;

(C)  has at least $500,000 in assets; and

(D)  establishes and operates the cemetery on land that:

(i)  is owned by the society or sect;

(ii)  together with any other land owned by the society or sect and adjacent to the land on which the cemetery is located, is not less than 10 acres; and

(iii)  is in a municipality with a population of at least one million that is located predominantly in a county that has a total area of less than 1,000 square miles;

(7)  the establishment and use of a private family cemetery by an organization that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, on land that is:

(A)  owned by the organization; and

(B)  located in a county:

(i)  with a population of more than 165,000 [~~125,000~~]; and

(ii)  that is adjacent to a county that has a population of more than 1.5 million and in which more than 70 [~~75~~] percent of the population lives in a single municipality; or

(8)  the establishment and use of a private family cemetery located at the site of a presidential library and museum.

(d)  Subsection (a) does not apply to a cemetery established and operating before September 1, 1995, in a county with a population of more than 315,000 [~~285,000~~] and less than 351,000 [~~300,000~~] that borders the Gulf of Mexico.

SECTION 101.  Section 713.0271, Health and Safety Code, is amended to read as follows:

Sec. 713.0271.  CEMETERY OWNED BY CERTAIN COUNTIES.  A county with a population of more than 800,000 [~~550,000~~] that borders a county with a population of more than 3.3 million may own, operate, and maintain a cemetery.

SECTION 102.  Section 766.052, Health and Safety Code, is amended to read as follows:

Sec. 766.052.  APPLICABILITY OF SUBCHAPTER.  This subchapter applies only to a residential high-rise building:

(1)  that is located in a county with a population of more than 1.5 million in which more than 70 [~~75~~] percent of the population resides in a single municipality;

(2)  in which at least 50 percent of the residents are elderly individuals, individuals with a disability, or individuals with a mobility impairment; and

(3)  that is not designated as a historically or archaeologically significant site by the Texas Historical Commission or the governing body of the county or municipality in which the building is located.

SECTION 103.  Section 771.0751(a), Health and Safety Code, as added by Chapter 258 (H.B. 1771), Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(a)  This section applies only to the use of fees and surcharges collected under this subchapter in a county subject to this subchapter with a population of at least 1.2 [~~one~~] million.

SECTION 104.  The heading to Subchapter B, Chapter 772, Health and Safety Code, is amended to read as follows:

SUBCHAPTER B. EMERGENCY COMMUNICATION DISTRICTS: COUNTIES WITH POPULATION OVER 3.3 [~~TWO~~] MILLION

SECTION 105.  The heading to Subchapter E, Chapter 772, Health and Safety Code, is amended to read as follows:

SUBCHAPTER E. EMERGENCY COMMUNICATION SERVICE: COUNTIES WITH POPULATION OVER 2.5 [~~TWO~~] MILLION

SECTION 106.  Section 772.402, Health and Safety Code, is amended to read as follows:

Sec. 772.402.  APPLICATION OF SUBCHAPTER.  This subchapter applies only to a county having a population of more than 2.5 [~~two~~] million in which a communication district has not been created under Subchapter B.

SECTION 107.  Section 775.014(h), Health and Safety Code, is amended to read as follows:

(h)  The governing body of a municipality with a population of more than one million may negotiate with the commissioners court of a county with a population of less than 2.1 [~~1.8~~] million that is the county in which the majority of the territory inside the municipality's corporate boundaries is located conditions under which the municipality will grant its consent to the inclusion of its extraterritorial jurisdiction in the district.  The negotiated conditions may:

(1)  limit the district's ability to incur debt;

(2)  require the district to ensure that its equipment is compatible with the municipality's equipment; and

(3)  require the district to enter into mutual aid agreements.

SECTION 108.  Section 775.0315(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to a district located wholly in a county with a population of 2.1 [~~1.8~~] million or more in which two or more cities with a population of 350,000 or more are located.

SECTION 109.  Section 775.045(b), Health and Safety Code, is amended to read as follows:

(b)  Subsection (a) does not apply to a district:

(1)  that before February 1, 2013, has adopted a fire code, fire code amendments, or other requirements in conflict with Subsection (a); and

(2)  whose territory is located:

(A)  in or adjacent to a general law municipality with a population of less than 4,000 that is served by a water control and improvement district governed by Chapter 51, Water Code; and

(B)  in a county that has a population of more than 1.2 [~~one~~] million and is adjacent to a county with a population of more than 600,000 [~~420,000~~].

SECTION 110.  Section 775.221(a), Health and Safety Code, is amended to read as follows:

(a)  This subchapter applies only to a district located wholly in:

(1)  a county with a population of 20,000 or less; or

(2)  a county with a population of more than 30,000 but less than 41,000 that is adjacent to a county with a population of more than 200,000 but less than 233,500 [~~220,000~~].

SECTION 111.  Section 775.301, Health and Safety Code, is amended to read as follows:

Sec. 775.301.  DEFINITION.  In this subchapter, "commissioners court" means the commissioners court of a county that:

(1)  borders the United Mexican States;

(2)  contains a municipality with[~~, has~~] a population of more than 500,000; [~~800,000,~~] and

(3)  appoints a board of emergency services commissioners under this chapter.

SECTION 112.  Section 775.302(a), Health and Safety Code, is amended to read as follows:

(a)  This subchapter applies only to a district that is located wholly in a county:

(1)  that borders the United Mexican States;

(2)  [~~,~~] that contains a municipality with [~~has~~] a population of more than 500,000; [~~800,000,~~] and

(3)  for which the commissioners court appoints a board of emergency services commissioners under Section 775.034.

SECTION 113.  Section 822.0012(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to an incorporated municipality that has a population of more than 1,000 and that is the county seat of a county with a population of 1,380 or more but less than 1,600.

SECTION 114.  Section 822.0411(a), Health and Safety Code, is amended to read as follows:

(a)  This section applies only to an incorporated municipality that has a population of more than 1,000 and that is the county seat of a county with a population of 1,380 or more but less than 1,600.

SECTION 115.  Section 42.041(g), Human Resources Code, is amended to read as follows:

(g)  A child-care facility that is exempt under Subsection (b)(3) from the licensing requirement of Subsection (a) may provide care for each child at the child-care facility for not more than 15 hours a week if the child-care facility:

(1)  provides the child care so that a person may attend an educational class provided by a nonprofit entity; and

(2)  is located in a county:

(A)  in which a municipality with a population of 500,000 [~~800,000~~] or more is located; and

(B)  that is adjacent to an international border.

SECTION 116.  Section 101A.202(a), Human Resources Code, is amended to read as follows:

(a)  This section applies only to counties having a population of not less than 20,600 [~~22,140~~] and not more than 20,800 [~~22,340~~] and to cities and towns within those counties.

SECTION 117.  Section 1575.163, Insurance Code, is amended to read as follows:

Sec. 1575.163.  LIMITATIONS.  The Teacher Retirement System of Texas, as trustee, may not contract for or provide a health benefit plan that excludes from participation in the network a general hospital that:

(1)  is located in the geographical service area or areas of the health coverage plan that includes a county that:

(A)  has a population of at least 100,000 and not more than 233,500 [~~210,000~~]; and

(B)  is located in the Texas-Louisiana border region, as that term is defined in Section 2056.002(e), Government Code; and

(2)  agrees to provide medical and health care services under the plan subject to the same terms and conditions as other hospital providers under the plan.

SECTION 118.  Section 1579.108, Insurance Code, is amended to read as follows:

Sec. 1579.108.  LIMITATIONS.  The trustee may not contract for or provide a health coverage plan that excludes from participation in the network a general hospital that:

(1)  is located in the geographical service area or areas of the health coverage plan that includes a county that:

(A)  has a population of at least 100,000 and not more than 233,500 [~~210,000~~]; and

(B)  is located in the Texas-Louisiana border region, as that term is defined in Section 2056.002(e), Government Code; and

(2)  agrees to provide medical and health care services under the plan subject to the same terms as other hospital providers under the plan.

SECTION 119.  Section 21.101, Local Government Code, is amended to read as follows:

Sec. 21.101.  REMOVAL BY RECALL ELECTION AUTHORIZED.  A member of the governing body of a general-law municipality with a population of less than 3,000 [~~5,000~~] located in a county that borders the United Mexican States and contains a municipality with [~~has~~] a population of more than 500,000 [~~800,000~~] may be removed from office through a recall election initiated by petition as provided by this subchapter.

SECTION 120.  Section 22.041(c), Local Government Code, is amended to read as follows:

(c)  In addition to an absence described by Subsection (b), a member of a governing body is also considered absent for the purposes of that subsection if the member is not present at the adjournment of a meeting at which a quorum is established, unless the member is first allowed to withdraw by the unanimous vote of the members present. This subsection applies only to a municipality that is located in a county that borders the United Mexican States and contains a municipality with a population of 500,000 [~~800,000~~] or more [~~that is adjacent to an international border~~].

SECTION 121.  Section 42.021(d), Local Government Code, is amended to read as follows:

(d)  Regardless of Subsection (a), the extraterritorial jurisdiction of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located within three miles of those boundaries if the municipality:

(1)  has a population of not less than 25,000 [~~20,000~~] or more than 27,000 [~~29,000~~]; and

(2)  is located in a county that has a population of 45,000 or more and borders the Trinity River.

SECTION 122.  Section 42.0251(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a general-law municipality:

(1)  that has a population of less than 4,000 [~~3,000~~];

(2)  that is located in a county with a population of more than 800,000 [~~500,000~~] that is adjacent to a county with a population of more than four million; and

(3)  in which at least two-thirds of the residents reside within a gated community.

SECTION 123.  Section 43.0751(n), Local Government Code, is amended to read as follows:

(n)  This subsection applies only to a municipality any portion of which is located in a county that has a population of not less than 315,000 [~~285,000~~] and not more than 351,000 [~~300,000~~] and that borders the Gulf of Mexico and is adjacent to a county with a population of more than 3.3 million.  A municipality may impose within the boundaries of a district a municipal sales and use tax authorized by Chapter 321, Tax Code, or a municipal hotel occupancy tax authorized by Chapter 351, Tax Code, that is imposed in the municipality if:

(1)  the municipality has annexed the district for limited purposes under this section; or

(2)  following two public hearings on the matter, the municipality and the district enter a written agreement providing for the imposition of the tax or taxes.

SECTION 124.  Section 43.1025(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a home-rule municipality that has a population of less than 13,000 [~~11,000~~] and is located primarily in a county with a population of more than 3.3 million.

SECTION 125.  Section 81.029(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a county judge in a county that is located on the international border and contains a municipality with [~~has~~] a population of 500,000 or more [~~than 800,000 and is located on the international border~~].

SECTION 126.  Section 81.033(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a commissioners court of a county that has a population of more than 4,500 [~~5,000~~], is located within 100 miles of an international boundary, and contains no incorporated territory of a municipality.

SECTION 127.  Section 89.001(a), Local Government Code, is amended to read as follows:

(a)  The commissioners court of a county with a population of more than two [~~1.25~~] million may employ an attorney as special counsel.

SECTION 128.  Section 106.001, Local Government Code, is amended to read as follows:

Sec. 106.001.  CREATION OF CHILD SAFETY TRUST FUND IN CERTAIN MUNICIPALITIES. A child safety trust fund shall be created in the treasury of a municipality with a population of more than 1.3 million [~~850,000~~].

SECTION 129.  Section 115.044(a), Local Government Code, is amended to read as follows:

(a)  A county with a population of 372,000 [~~312,000~~] to 410,000 [~~330,000~~] shall conduct a biennial independent audit of all books, records, and accounts of each district, county, and precinct officer, agent, or employee, including those of the regular county auditor, and of all governmental units of the county hospitals, farms, and other institutions.  The audit must cover all matters relating to the fiscal affairs of the county.  The audit shall be conducted in each even-numbered year and must be completed before December 31 of the year.

SECTION 130.  Section 120.001, Local Government Code, is amended to read as follows:

Sec. 120.001.  APPLICABILITY. This chapter applies only to a county with a population of more than 1.2 [~~one~~] million.

SECTION 131.  Section 143.0052(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a municipality that:

(1)  has a population of more than 220,000 and less than 275,000 [~~250,000~~];

(2)  is located in a county in which another municipality that has a population of more than one million is predominately located; and

(3)  whose emergency medical services are administered by a fire department.

SECTION 132.  Section 143.025(l), Local Government Code, is amended to read as follows:

(l)  In a municipality with a population of more than 1.4 [~~1.3~~] million and less than 2 million, an examination for a beginning position in the fire department may include testing instruments to be used in addition to the written examination in the establishment of the initial eligibility list.

SECTION 133.  The heading to Section 143.114, Local Government Code, is amended to read as follows:

Sec. 143.114.  ASSIGNMENT PAY IN MUNICIPALITY WITH POPULATION OF 1.5 [~~1.2~~] MILLION OR MORE.

SECTION 134.  Sections 152.032(b), (d), and (e), Local Government Code, are amended to read as follows:

(b)  This subsection applies only to a county that employs an arena venue project manager hired as of March 7, 2001, and that has a population of less than 2.1 [~~1.8~~] million in which a municipality with a population of more than one million is located.  The amount of the compensation and allowances of a county auditor in a county subject to this subsection may not exceed the amount of the compensation and allowances received from all sources by the county budget officer.  If the county hires a county budget officer at a salary lower than the salary of the previous county budget officer, the county auditor's salary may not be reduced on that basis.

(d)  The amount of the compensation and allowances of a county auditor in a county subject to this subsection may be set in an amount that exceeds the limit established by Subsection (a) if the compensation and allowances are approved by the commissioners court of the county.  This subsection applies only to:

(1)  [~~a county with a population of more than 108,000 and less than 110,000;~~

[~~(2)~~]  a county with a population of 120,000 or more, excluding a county subject to Subsection (b);

(2) [~~(3)~~]  a county with a population of more than 1,000 and less than 23,000 that borders the Gulf of Mexico;

(3) [~~(4)~~]  a county with a population of more than 11,000 and less than 11,350 [~~11,650~~]; and

(4) [~~(5)~~]  a county that:

(A)  borders a county with a population of more than one million; and

(B)  has a population of more than 44,500 [~~36,000~~] and less than 46,500 [~~40,000~~].

(e)  This subsection applies only to a county with a population of more than 1.2 [~~one~~] million that uses an automated system to enhance internal controls of county finances through the use of automated edit checks of its automated purchasing system and its comprehensive automated payroll system.  The amount of the compensation and allowances of a county auditor in a county governed by this subsection may exceed the limit imposed by Subsection (a) if the compensation and allowances are approved by the commissioners court.  If a county is governed by this subsection and Subsection (b), the amount of compensation and allowances received by the county auditor may not exceed the limit imposed by Subsection (b).

SECTION 135.  Section 152.904(c), Local Government Code, is amended to read as follows:

(c)  The commissioners court of a county with a population of 315,000 [~~285,000~~] to 351,000 [~~300,000~~] shall set the annual salary of the county judge at an amount equal to or greater than 90 percent of the salary, including supplements, of any district judge in Galveston County.  However, the salary may not be set at an amount less than the salary paid the county judge on May 2, 1962.

SECTION 136.  Section 158.008(e), Local Government Code, is amended to read as follows:

(e)  A member of the commissioners court of a county with a population of 2.5 [~~two~~] million or more is not prohibited from being appointed to the civil service commission.

SECTION 137.  Section 161.001, Local Government Code, is amended to read as follows:

Sec. 161.001.  APPLICABILITY OF CHAPTER.  This chapter applies only to:

(1)  a county that:

(A)  contains a municipality that has a population of 500,000 [~~800,000~~] or more;

(B)  is located on the international border; and

(C)  before September 1, 2009, had a county ethics board appointed by the commissioners court;

(2)  a county that:

(A)  has a population of 425,000 or more;

(B)  is adjacent to a county with a population of 3.3 million or more; and

(C)  contains a portion of the San Jacinto River; and

(3)  a county that has a population of less than 50,000 [~~40,000~~] that is adjacent to a county with a population of more than 3.3 million.

SECTION 138.  Section 170.002(a), Local Government Code, is amended to read as follows:

(a)  This section applies to a county that has a population of less than 50,000 [~~40,000~~] that is adjacent to a county with a population of more than 3.3 million.

SECTION 139.  Section 180.003(a), Local Government Code, is amended to read as follows:

(a)  In a county with a population of 372,000 [~~312,000~~] to 400,000 [~~330,000~~], a sheriff, deputy, constable, or other peace officer of the county or a municipality located in the county may not be required to be on duty more than 48 hours a week unless the peace officer is called on by a superior officer to serve during an emergency as determined by the superior officer.

SECTION 140.  Section 212.0146(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a replat of a subdivision or a part of a subdivision located in a municipality or the extraterritorial jurisdiction of a municipality with a population of 1.4 [~~1.3~~] million or more.

SECTION 141.  Section 212.151, Local Government Code, is amended to read as follows:

Sec. 212.151.  MUNICIPALITY COVERED BY SUBCHAPTER. This subchapter applies only to a municipality:

(1)  with a population of 1.5 million or more that passes an ordinance that requires uniform application and enforcement of this subchapter with regard to all property and residents;

(2)  with a population of less than 4,500 [~~4,000~~] that:

(A)  is located in two counties, one of which has a population greater than 45,000; and

(B)  borders Lake Lyndon B. Johnson; or

(3)  that does not have zoning ordinances and passes an ordinance that requires uniform application and enforcement of this subchapter with regard to all property and residents.

SECTION 142.  Section 214.003(b-1), Local Government Code, is amended to read as follows:

(b-1)  This subsection applies only to a municipality wholly or partly located in a county that is located along the international border and contains [~~has~~] a municipality with a population of 500,000 [~~800,000~~] or more.  The court may appoint as a receiver under Subsection (b) an individual without a demonstrated record of rehabilitating properties if the municipality demonstrates that:

(1)  no individual with a demonstrated record of rehabilitating properties is available; and

(2)  the individual being appointed is competent and able to fulfill the duties of a receiver.

SECTION 143.  Section 214.161, Local Government Code, is amended to read as follows:

Sec. 214.161.  MUNICIPALITY COVERED BY SUBCHAPTER.  This subchapter applies only to a municipality with a population of more than 1.18 million located primarily in a county with a population of 2.5 [~~2~~] million or more.

SECTION 144.  Section 214.233(a), Local Government Code, is amended to read as follows:

(a)  A municipality located in a county with a population of 2.5 [~~two~~] million or more may adopt an ordinance requiring owners of vacant buildings to register their buildings by filing a registration form with a designated municipal official.

SECTION 145.  Section 229.003(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a municipality located wholly or partly in a county:

(1)  with a population of one million [~~750,000~~] or more;

(2)  in which all or part of a municipality with a population of one million or more is located; and

(3)  that is located adjacent to a county with a population of 2.5 [~~two~~] million or more.

SECTION 146.  Section 232.045(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a county [~~with a population of more than 800,000~~] that is adjacent to an international border and contains a municipality with a population of 500,000 or more.

SECTION 147.  Section 232.151, Local Government Code, is amended to read as follows:

Sec. 232.151.  APPLICABILITY. This subchapter applies to a county that:

(1)  contains a municipality with [~~has~~] a population of more than 500,000 [~~800,000~~];

(2)  is adjacent to an international border; and

(3)  contains more than 30,000 acres of lots that have remained substantially undeveloped for more than 25 years after the date the lots were platted.

SECTION 148.  Section 234.032, Local Government Code, is amended to read as follows:

Sec. 234.032.  APPLICABILITY.  This subchapter applies only in the unincorporated area of a county [~~if the county~~]:

(1)  in which [~~contains~~] two or more municipalities with a population of 350,000 [~~250,000~~] or more are wholly or primarily located;

(2)  that is [~~a county~~] adjacent to a county described by Subdivision (1); or

(3)  that is [~~a county~~] adjacent to a county described by Subdivision (2) and:

(A)  has a population of not more than 55,000 [~~50,000~~] and contains a municipality with a population of at least 20,000; or

(B)  in which [~~contains, wholly or partly,~~] two or more municipalities with a population of 280,000 [~~250,000~~] or more are partly located.

SECTION 149.  Section 240.042(a), Local Government Code, is amended to read as follows:

(a)  The commissioners court of a county with a population of 2.1 [~~1.8~~] million or more by order may regulate the placement of private water wells in the unincorporated area of the county to prevent:

(1)  the contamination of a well from an on-site sewage disposal system;

(2)  rendering an on-site sewage disposal system that was in place before the well was drilled out of compliance with applicable law because of the placement of the well; and

(3)  drilling of a domestic well into a contaminated groundwater plume or aquifer.

SECTION 150.  Section 240.082(a), Local Government Code, is amended to read as follows:

(a)  This subchapter applies only to real property that is located in the unincorporated area of a county with a population of 2.1 [~~1.8~~] million or more.

SECTION 151.  Section 242.003(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to:

(1)  a county that is [~~having a population of more than 800,000 and~~] located on the international border and contains a municipality with a population of 500,000 or more; and

(2)  a municipality that has extraterritorial jurisdiction, as defined by Section 212.001, in the [~~that~~] county described by Subdivision (1).

SECTION 152.  Section 250.011(c), Local Government Code, as added by Chapter 315 (H.B. 738), Acts of the 87th Legislature, Regular Session, 2021, is amended to read as follows:

(c)  Subsection (a) does not apply to:

(1)  a municipality that has enacted an ordinance, bylaw, order, building code, or rule requiring the installation of a multipurpose residential fire protection sprinkler system or any other fire protection sprinkler system in a new or existing one- or two-family dwelling on or before January 1, 2009; or

(2)  an emergency services district:

(A)  that before February 1, 2013, has adopted a fire code, fire code amendments, or other requirements in conflict with Subsection (a); and

(B)  whose territory is located:

(i)  in or adjacent to a general law municipality with a population of less than 4,000 that is served by a water control and improvement district governed by Chapter 51, Water Code; and

(ii)  in a county that has a population of more than 1.2 [~~one~~] million and is adjacent to a county with a population of more than 600,000 [~~420,000~~].

SECTION 153.  Section 253.001(l), Local Government Code, is amended to read as follows:

(l)  Subsection (b) does not apply to a conveyance of park land owned by a home-rule municipality that:

(1)  is located in a county with a population of more than three million; and

(2)  has a population of more than 33,000 [~~25,000~~] and less than 35,000 [~~33,000~~].

SECTION 154.  Section 253.013(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to:

(1)  a municipality with a population greater than 150,000 and less than 200,000 that is located in three counties; and

(2)  a municipality with a population greater than 78,000 [~~65,000~~] and less than 88,000 [~~90,000~~] that is located in a county in which part but not all of a military installation is located.

SECTION 155.  Section 263.007(e)(2), Local Government Code, is amended to read as follows:

(2)  The commissioners court of a county with a population of 2.1 [~~one~~] million or more that contains two or more municipalities with a population of 350,000 [~~250,000~~] or more may lease real property owned or controlled by the county to a for-profit entity to conduct health and human service activities which the commissioners court finds to be in the public interest, without using the sealed-bid or sealed-proposal process described in Subsection (a) and without using any other competitive bidding process which would otherwise be required by law.

SECTION 156.  Section 263.1545(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to surplus property that:

(1)  is owned by a county with a population of more than 1.2 [~~1~~] million and less than 1.5 million;

(2)  uses a high level of technology;

(3)  was used or will be used in connection with or for a highly specialized program; and

(4)  was purchased by the county for more than $250,000.

SECTION 157.  Section 270.005(a), Local Government Code, is amended to read as follows:

(a)  The commissioners court of a county with a population of 251,000 to 260,000 [~~275,000~~] may contract with the United States government or a federal agency for:

(1)  the joint construction or improvement of roads, bridges, or other county improvements; or

(2)  the maintenance of a project constructed under this section.

SECTION 158.  Section 272.001(h), Local Government Code, is amended to read as follows:

(h)  A municipality, other than a municipality with a population of more than one million that is located primarily in a county with a population of 2.5 [~~two~~] million or more, owning land within 5,000 feet of where the shoreline of a lake would be if the lake were filled to its storage capacity may, without notice or the solicitation of bids, sell the land to the person leasing the land for the fair market value of the land as determined by a certified appraiser.  While land described by this subsection is under lease, the municipality owning the land may not sell the land to any person other than the person leasing the land.  To protect the public health, safety, or welfare and to ensure an adequate municipal water supply, property sold by the municipality under this subsection is not eligible for and the owner is not entitled to the exemption provided by Section 11.142(a), Water Code.  The instrument conveying property under this subsection must include a provision stating that the exemption does not apply to the conveyance.  In this subsection, "lake" means an inland body of standing water, including a reservoir formed by impounding the water of a river or creek but not including an impoundment of salt water or brackish water, that has a storage capacity of more than 10,000 acre-feet.

SECTION 159.  Section 292.023(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a county with a population of:

(1)  32,800 [~~35,500~~] to 34,000 [~~36,000~~]; or

(2)  98,000 [~~85,000~~] to 105,000 [~~86,500~~].

SECTION 160.  Section 292.025(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a county with a population of 35,850 [~~35,050~~] to 36,000 [~~35,090~~].

SECTION 161.  Section 292.027(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a county with a population of 57,900 [~~57,000~~] to 59,000.

SECTION 162.  Section 292.031(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a county with a population of less than 50,000 [~~40,000~~] that is adjacent to a county with a population of more than 3.3 million.

SECTION 163.  The heading to Chapter 307, Local Government Code, is amended to read as follows:

CHAPTER 307. USE OF TIDELANDS FOR PARK PURPOSES: GULF COAST MUNICIPALITIES WITH POPULATION OF 50,000 [~~60,000~~] OR MORE

SECTION 164.  Section 320.0455(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a county with a population of:

(1)  2.8 million or more;

(2)  800,000 [~~580,000~~] or more that is adjacent to a county with a population of 2.8 million or more; or

(3)  more than 550,000 [~~410,000~~] and less than 620,000 [~~455,000~~].

SECTION 165.  The heading to Chapter 322, Local Government Code, is amended to read as follows:

CHAPTER 322. JOINT PARKS BOARD AND PARK BONDS: ADJACENT COUNTIES WITH POPULATIONS OF 2.1 MILLION [~~350,000~~] OR MORE

SECTION 166.  Section 322.001, Local Government Code, is amended to read as follows:

Sec. 322.001.  ELIGIBLE COUNTIES. Two adjacent counties that each have a population of 2.1 [~~one~~] million or more may create a joint park board in accordance with this chapter for the purpose of providing one or more public parks for the two counties.

SECTION 167.  Section 327.051, Local Government Code, is amended to read as follows:

Sec. 327.051.  COUNTIES AUTHORIZED TO CREATE ZOO BOARD. The commissioners court of a county with a population of more than 2.1 [~~1.5~~] million that is adjacent to a county with a population of more than 2.1 [~~one~~] million by order may authorize the creation of a zoo board under this chapter to establish, finance, and manage facilities and services to provide conservation, education, research, public recreation, and care relating to the study and display of animals and other specimens in a public zoological park.

SECTION 168.  Section 334.0082(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a municipality that:

(1)  has a population of at least 250,000 [~~176,000~~] that borders the Rio Grande, and that approved a sports and community venue project before January 1, 2009; or

(2)  is located in a county adjacent to the Texas-Mexico border if:

(A)  the county has a population of at least 500,000;

(B)  the county does not have a city located within it that has a population of at least 500,000; and

(C)  the municipality is the largest municipality in the county described by this subdivision.

SECTION 169.  Section 334.103(c), Local Government Code, is amended to read as follows:

(c)  A county with a population of more than 2.5 [~~two~~] million that is adjacent to a county with a population of more than 2.1 [~~one~~] million may impose the tax authorized by this subchapter at a rate not to exceed six percent on the gross rental receipts from the rental in the county of a motor vehicle.

SECTION 170.  Section 334.1041(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a county with a population of more than 2.5 [~~two~~] million that is adjacent to a county with a population of more than 2.1 [~~one~~] million.

SECTION 171.  Section 334.202(b-1), Local Government Code, is amended to read as follows:

(b-1)  A municipality with a population of more than 700,000 within a county with a population of more than 2.1 [~~one~~] million adjacent to a county with a population of more than 2.5 [~~two~~] million may impose the tax authorized by this subchapter at a rate not to exceed $5 for each motor vehicle.

SECTION 172.  Section 334.2031(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a municipality with a population of more than 700,000 within a county with a population of more than 2.1 [~~one~~] million that is adjacent to a county with a population of more than 2.5 [~~two~~] million.

SECTION 173.  Section 334.2518(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a municipality that has a population of more than 1.3 [~~1~~] million but less than 1.4 [~~1.3~~] million.

SECTION 174.  Section 334.254(c), Local Government Code, is amended to read as follows:

(c)  Except as provided by Subsection (d), a county with a population of more than 2.5 [~~two~~] million that is adjacent to a county with a population of more than 2.1 [~~one~~] million may impose the tax authorized by this subchapter at any rate not to exceed three percent of the price paid for a room in a hotel.

SECTION 175.  Section 335.076(a), Local Government Code, is amended to read as follows:

(a)  This section applies only in relation to an approved venue project constructed and operated under the authority of a district in a county with a population of more than 2.5 [~~two~~] million that is adjacent to a county with a population of more than 2.1 [~~one~~] million.

SECTION 176.  Section 342.901(a), Local Government Code, is amended to read as follows:

(a)  This section applies to a general law municipality that:

(1)  has a population of less than 4,000;

(2)  is located in a county that:

(A)  has a population of more than 1.2 [~~one~~] million; and

(B)  is adjacent to a county with a population of more than 600,000 [~~420,000~~]; and

(3)  is served by a district governed by Chapter 51, Water Code.

SECTION 177.  The heading to Subchapter B, Chapter 343, Local Government Code, is amended to read as follows:

SUBCHAPTER B. PROVISIONS APPLICABLE TO MUNICIPALITIES WITH A POPULATION OF MORE THAN 1.3 MILLION [~~850,000~~]

SECTION 178.  Section 343.011, Local Government Code, is amended to read as follows:

Sec. 343.011.  APPLICATION. This subchapter applies only to a municipality with a population of more than 1.3 million [~~850,000~~].

SECTION 179.  Section 344.051(a-1), Local Government Code, is amended to read as follows:

(a-1)  The governing body of a municipality may propose the creation of a fire control, prevention, and emergency medical services district under this chapter if the municipality:

(1)  has a population of 5,000 or more and less than 25,000; and

(2)  is located in a county with a population of one million [~~750,000~~] or more:

(A)  in which all or part of a municipality with a population of one million or more is located; and

(B)  that is adjacent to a county with a population of 2.5 [~~two~~] million or more.

SECTION 180.  Section 351.04155(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a county that:

(1)  has a population of 2.1 [~~one~~] million or more;

(2)  has two municipalities with a population of 250,000 [~~200,000~~] or more; and

(3)  is adjacent to a county with a population of 2.1 [~~one~~] million or more.

SECTION 181.  Section 351.901(b), Local Government Code, is amended to read as follows:

(b)  The commissioners court of a county by contract may donate money to one or more crime stoppers or crime prevention organizations for expenditure by the organizations to meet the goals identified in Subsection (a). The total amount of all donations made in a calendar year may not exceed:

(1)  $25,000; or

(2)  $100,000, for a county with a population of 1.2 [~~one~~] million or more.

SECTION 182.  Section 361.042(a), Local Government Code, is amended to read as follows:

(a)  Instead of providing and maintaining its own jail, the commissioners court of a county with a population of 120,000 [~~110,000~~] to 123,000 [~~113,000~~] may provide safe and suitable jail facilities for the county by contracting for the facilities with the governing body of the municipality that is the county seat of the county.

SECTION 183.  Section 362.005(a), Local Government Code, is amended to read as follows:

(a)  The sheriff's department of a county with a population of at least 870,000 [~~700,000 but not more than 800,000~~] that borders the Texas-Mexico border and the police department of the municipality having the largest population in that county shall jointly establish and operate the Texas Transnational Intelligence Center as a central repository of real-time intelligence relating to:

(1)  autopsies in which the person's death is likely connected to transnational criminal activity;

(2)  criminal activity in the counties along the Texas-Mexico border and certain other counties; and

(3)  other transnational criminal activity in the state.

SECTION 184.  Section 371.001(a), Local Government Code, is amended to read as follows:

(a)  The governing body of a municipality with a population of 1.3 million [~~900,000~~] or less may appropriate from its general fund an amount not to exceed one percent of the general fund budget for that year for the purpose of advertising the municipality and promoting its growth and development.

SECTION 185.  (a) Section 372.0035(a), Local Government Code, as amended by Chapters 59 (S.B. 385), 60 (S.B. 642), 244 (H.B. 1417), 994 (H.B. 1135), 995 (H.B. 1136), 997 (H.B. 1474), and 1271 (S.B. 386), Acts of the 86th Legislature, Regular Session, 2019, is reenacted as Sections 372.0035(a) and (a-1), Local Government Code, and amended to read as follows:

(a)  This section applies only to:

(1)  a municipality that:

(A)  has a population of more than 900,000 [~~650,000~~] and less than two million;

(B)  has a population of more than 325,000 and less than 625,000; [~~or~~]

(C)  has a population of more than 197,000 [~~180,000~~] and less than 200,500 [~~200,000~~];

(D) [~~(C)~~]  has a population of more than 256,000 [~~200,000~~] and less than 257,000 [~~225,000~~];

(E) [~~(C)~~]  has a population of more than 20,000 and is wholly located in a county with a population of more than 62,000 [~~55,000~~] and less than 68,000 [~~65,000~~];

(F) [~~(C)~~]  has a population of more than 200,000 [~~115,000~~] and borders Lake Lewisville;

(G) [~~(C)~~]  has a population of more than 138,000 [~~105,000~~] and is wholly located in a county with a population of less than 265,000 [~~250,000~~]; or

(H) [~~(C)~~]  has a population of more than 130,000 [~~100,000~~] and less than 140,000 [~~125,000~~] and is wholly located in a county with a population of more than 900,000 [~~650,000~~]; and

(2)  a public improvement district established under this subchapter and solely composed of territory in which the only businesses are:

(A)  hotels with 100 or more rooms ordinarily used for sleeping, if the district is established by a municipality described by Subdivision (1)(A); [~~or~~]

(B)  hotels with 75 or more rooms ordinarily used for sleeping, if the district is established by a municipality described by Subdivision (1)(B), (D), (E), (F), (G), or (H) [~~(C)~~]; or

(C)  hotels with 10 or more rooms ordinarily used for sleeping, if the district is established by a municipality described by Subdivision (1)(C).

(a-1)  This section applies only to a public improvement district established by a municipality under this subchapter and solely composed of territory in which the only businesses are one or more hotels.

(b)  Section 372.0035(e), Local Government Code, as added by Chapter 997 (H.B. 1474), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 372.0035(e-1), Local Government Code, to read as follows:

(e-1) [~~(e)~~]  A municipality may undertake a project under this section only for a purpose described by Section 372.003(b)(13).

(c)  The following provisions are repealed as duplicative of Section 372.0035(e), Local Government Code, as added by Chapter 997 (H.B. 1474), Acts of the 86th Legislature, Regular Session, 2019:

(1)  Section 372.0035(e), Local Government Code, as added by Chapter 59 (S.B. 385), Acts of the 86th Legislature, Regular Session, 2019; and

(2)  Section 372.0035(e), Local Government Code, as added by Chapter 1271 (S.B. 386), Acts of the 86th Legislature, Regular Session, 2019.

(d)  Section 372.005(b-1), Local Government Code, is amended to read as follows:

(b-1)  Notwithstanding Subsection (b), a petition for the establishment of a public improvement district described by Section 372.0035(a) or (a-1) is sufficient only if signed by record owners of taxable real property liable for assessment under the proposal who constitute:

(1)  more than 60 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and

(2)  more than 60 percent of:

(A)  all record owners of taxable real property that are liable for assessment under the proposal; or

(B)  the area of all taxable real property that is liable for assessment under the proposal.

SECTION 186.  Section 372.151, Local Government Code, is amended to read as follows:

Sec. 372.151.  APPLICABILITY. This subchapter applies only to a county that:

(1)  does not wholly contain a [~~contains no~~] municipality with a population of more than 50,000; and

(2)  is adjacent to at least two counties, each with a population of more than 2.1 [~~one~~] million.

SECTION 187.  Section 373A.003(a), Local Government Code, is amended to read as follows:

(a)  This chapter applies to a municipality with a population of more than 950,000 [~~750,000~~] that is located in a uniform state service region with fewer than 940,000 [~~550,000~~] occupied housing units as determined by the most recent United States decennial census.

SECTION 188.  Section 377.051(e), Local Government Code, is amended to read as follows:

(e)  Notwithstanding Subsection (d), a person may qualify to serve as a director of a district if the person resides in the independent school district that serves the majority of the district and the district is located in a municipality:

(1)  with a population of more than 5,000 and less than 6,000 and that is located wholly in a county with a population of more than 20,000 and less than 25,000 and that borders the Brazos River; or

(2)  with a population of more than 1,450 [~~1,488~~] and less than 2,500 and that is located wholly in a county with a population of more than 20,000 and less than 30,000 that borders the Neches River and the Trinity River.

SECTION 189.  Section 381.001(c), Local Government Code, is amended to read as follows:

(c)  In a county with a population of 15,800 [~~14,600~~] to 16,800 [~~14,800~~], or 16,950 [~~16,615~~] to 17,400 [~~16,715~~], or 18,600 [~~17,800~~] to 19,000 [~~18,000~~], or 24,600 to 24,800, a person appointed to the commission also must be serving or must have served on an industrial foundation committee, commissioners court, municipality's governing body, or school board.  In addition, in those counties information obtained by the commission shall be available to the commissioners court.

SECTION 190.  Section 382.002, Local Government Code, is amended to read as follows:

Sec. 382.002.  APPLICABILITY.  This chapter applies only to:

(1)  a county with a population of 1.5 million or more, other than a county that:

(A)  borders on the Gulf of Mexico or a bay or inlet of the gulf; or

(B)  has two municipalities located wholly or partly in its boundaries each having a population of 225,000 or more; or

(2)  a county with a population of 70,000 or more that is adjacent to a county described by Subdivision (1) in which a municipality with a population of 90,000 [~~35,000~~] or more is primarily situated and includes all or a part of the extraterritorial jurisdiction of a municipality with a population of 1.1 million or more.

SECTION 191.  Section 387.0031(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a district created by a county with a population of more than 800,000 [~~580,000~~] that borders a county with a population of more than four million.

SECTION 192.  Section 392.0131(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to the merger of housing authorities operating in:

(1)  a county that [~~has a population of 800,000 or more and~~] is located on the international border and contains a municipality with a population of 500,000 or more; and

(2)  a municipality that has a population of more than 600,000 and less than 700,000 and is located in a county described by Subdivision (1).

SECTION 193.  Sections 397.005(b) and (c), Local Government Code, are amended to read as follows:

(b)  This subsection applies only to a defense community that includes a municipality with a population of more than 125,000 [~~110,000~~] located primarily in a county with a population of less than 145,000 [~~135,000~~] and that has not adopted airport zoning regulations under Chapter 241.  A defense community that proposes to adopt or amend an ordinance, rule, or plan in an area located within eight miles of the boundary line of a military base or defense facility shall notify the base or facility authorities concerning the compatibility of the proposed ordinance, rule, or plan with base operations.

(c)  A defense community that proposes to adopt or amend an ordinance, rule, or plan that would be applicable in a controlled compatible land use area as defined by Section 241.003 and that may impact base operations shall notify the base or facility authorities concerning the compatibility of the proposed ordinance, rule, or plan with base operations.  This subsection applies only to a defense community that has not adopted airport zoning regulations under Chapter 241 and that:

(1)  is a county with a population of more than 1.5 million that contains a municipality in which at least 70 [~~75~~] percent of the county's population resides;

(2)  is a county with a population of 170,000 [~~130,000~~] or more that is adjacent to a county described by Subdivision (1);

(3)  is located in a county described by Subdivision (1) or (2); or

(4)  is or includes a municipality that is located in a county with a population of more than 100,000 and less than 130,000 that borders the Red River.

SECTION 194.  Sections 397.006(a) and (c), Local Government Code, are amended to read as follows:

(a)  Subsection (b) applies only to a defense community that includes a municipality with a population of more than 125,000 [~~110,000~~] located primarily in a county with a population of less than 145,000 [~~135,000~~] and that has not adopted airport zoning regulations under Chapter 241.

(c)  On receipt of an application for a permit as defined by Section 245.001 for a proposed structure that would be located in a controlled compatible land use area as defined by Section 241.003 and may impact base operations, a defense community shall notify the base or facility authorities concerning the compatibility of the proposed structure with base operations.  This subsection applies only to a defense community that has not adopted airport zoning regulations under Chapter 241 and that:

(1)  is a county with a population of more than 1.5 million that contains a municipality in which at least 70 [~~75~~] percent of the county's population resides;

(2)  is a county with a population of 170,000 [~~130,000~~] or more that is adjacent to a county described by Subdivision (1);

(3)  is located in a county described by Subdivision (1) or (2); or

(4)  is or includes a municipality that is located in a county with a population of more than 100,000 and less than 130,000 that borders the Red River.

SECTION 195.  Section 504.002, Local Government Code, is amended to read as follows:

Sec. 504.002.  APPLICABILITY OF CHAPTER. This chapter applies only to a municipality that:

(1)  is located in a county that has a population of 500,000 or less; or

(2)  has a population of less than 50,000 and:

(A)  is located in two or more counties, one of which has a population of 500,000 or more;

(B)  is located within the territorial limits of, but has not elected to become a part of, a metropolitan rapid transit authority:

(i)  the principal municipality of which has a population of less than 1.9 million; and

(ii)  that was created before January 1, 1980, under Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973, and is operating under Chapter 451, Transportation Code; or

(C)  is located within the territorial limits of, but has not elected to become a part of, a regional transportation authority:

(i)  the principal municipality of which has a population of more than 1.3 million [~~750,000~~]; and

(ii)  that was created under Chapter 683, Acts of the 66th Legislature, Regular Session, 1979, or Chapter 452, Transportation Code, and is operating under Chapter 452, Transportation Code.

SECTION 196.  Section 505.157(a), Local Government Code, is amended to read as follows:

(a)  In this section, "landlocked community" means a municipality that:

(1)  is wholly or partly located in a county with a population of 2.5 [~~two~~] million or more; and

(2)  has within its municipal limits and extraterritorial jurisdiction less than 100 acres that can be used for the development of manufacturing or industrial facilities in accordance with the municipality's zoning laws or land use restrictions.

SECTION 197.  Section 552.024(b), Local Government Code, is amended to read as follows:

(b)  This section applies only to a home-rule municipality that:

(1)  has a population of at least 99,000 and not more than 160,000;

(2)  is located in two counties, only one of which has a population of at least 150,000 [~~132,000~~] and not more than 170,000; and

(3)  owns and operates a water system, sewer system, or combined system.

SECTION 198.  Section 552.044(1), Local Government Code, is amended to read as follows:

(1)(A)  "Benefitted property" means an improved lot or tract to which drainage service is made available under this subchapter.

(B)  "Benefitted property," in a municipality with a population of more than 1.18 million located primarily in a county with a population of 2.5 [~~2~~] million or more which is operating a drainage utility system under this chapter, means a lot or tract, but does not include land appraised for agricultural use, to which drainage service is made available under this subchapter and which discharges into a creek, river, slough, culvert, or other channel that is part of the municipality's drainage utility system.  Sections 552.053(c)(2) and (c)(3) do not apply to a municipality described in this subdivision.

SECTION 199.  Section 552.913(a), Local Government Code, is amended to read as follows:

(a)  This section applies only to a home-rule municipality that:

(1)  has a population of more than 100,000;

(2)  owns and operates an electric utility that is a member of a municipal power agency; and

(3)  is located in a county adjacent to a county with a population of more than 2.5 [~~two~~] million.

SECTION 200.  Section 562.016, Local Government Code, is amended to read as follows:

Sec. 562.016.  COUNTY WATER AND SEWER SYSTEM. (a)  A county may acquire, own, finance, operate, or contract for the operation of, a water or sewer utility system to serve an unincorporated area of the county in the same manner and under the same regulations as a municipality under Chapter 552. The county must comply with all provisions of Chapter 13, Water Code, that apply to a municipality. However, a county with a population of 2.5 [~~two~~] million or more and any adjoining county may, with the municipality's approval, serve an area within a municipality.

(b)  To finance the water or sewer utility system, a county may issue bonds payable solely from the revenue generated by the water or sewer utility system.  A bond issued under this section is not a debt of the county but is only a charge on the revenues pledged and is not considered in determining the ability of the county to issue bonds for any other purpose authorized by law.  This subsection does not authorize the issuance of general obligation bonds payable from ad valorem taxes to finance a water or sewer utility system.  However, a county with a population of 2.5 [~~two~~] million or more and any adjoining county may issue general obligation bonds with the approval of qualified voters.

(c)  A county may acquire any interest in property necessary to operate a system authorized by this section through any means available to the county, including eminent domain.  A county may not use eminent domain under this subsection to acquire property in a municipality.  Provided, however, a county with a population of 2.5 [~~two~~] million or more and any adjoining county may, with the municipality's approval, use the power of eminent domain under this subsection to acquire property within a municipality.

SECTION 201.  Section 615.002(a), Local Government Code, is amended to read as follows:

(a)  This section applies to a county with a population of:

(1)  14,800 [~~14,050~~] to 15,000 [~~14,250~~];

(2)  19,900 [~~19,700~~] to 20,000 [~~19,800~~];

(3)  21,300 [~~21,850~~] to 21,500 [~~22,000~~];

(4)  57,800 [~~54,000~~] to 57,900 [~~54,500~~];

(5)  36,000 [~~36,500~~] to 36,500 [~~36,800~~]; or

(6)  234,000 or more.

SECTION 202.  Section 615.011(b), Local Government Code, is amended to read as follows:

(b)  A county with a population of 44,500 [~~41,500~~] to 45,500 [~~42,500~~] may authorize the use of county equipment, machinery, and employees to construct, establish, and maintain a public airstrip in the county.

SECTION 203.  Section 61.018(a-1), Natural Resources Code, is amended to read as follows:

(a-1)  A county attorney, district attorney, or criminal district attorney or the attorney general may not file a suit under Subsection (a) to obtain a temporary or permanent court order or injunction, either prohibitory or mandatory, to remove a house from a public beach if:

(1)  the line of vegetation establishing the boundary of the public beach moved as a result of a meteorological event that occurred before January 1, 2009;

(2)  the house was located landward of the natural line of vegetation before the meteorological event;

(3)  a portion of the house continues to be located landward of the line of vegetation; and

(4)  the house is located on a peninsula in a county with a population of more than 315,000 [~~285,000~~] and less than 351,000 [~~300,000~~] that borders the Gulf of Mexico.

SECTION 204.  Section 162.001(c-4), Occupations Code, is amended to read as follows:

(c-4)  The board shall certify a health organization to contract with or employ physicians licensed by the board if the organization:

(1)  is a hospital district:

(A)  recognized by a federal agency as a public entity eligible to receive a grant related to a community or federally qualified health center described by Subdivision (2); and

(B)  created in a county with a population of more than 1.2 million [~~800,000~~] that was not included in the boundaries of a hospital district before September 1, 2003; and

(2)  is organized and operated as:

(A)  a migrant, community, or homeless health center under the authority of and in compliance with 42 U.S.C. Section 254b or 254c; or

(B)  a federally qualified health center under 42 U.S.C. Section 1396d(l)(2)(B).

SECTION 205.  Section 2026.011, Occupations Code, is amended to read as follows:

Sec. 2026.011.  AUTOMOBILE RACING FACILITY PROHIBITED NEAR RACETRACK IN CERTAIN COUNTIES.   An automobile racing facility may not be located within 10,000 feet of a horse or greyhound racetrack that is located in a county with a population of 2.1 [~~1.8~~] million or more.

SECTION 206.  Section 2301.6521(a), Occupations Code, is amended to read as follows:

(a)  In this section, "affected county" means:

(1)  a county with a population of 1.2 [~~one~~] million or more; or

(2)  a county with a population of 800,000 [~~500,000~~] or more but less than 1.1 [~~one~~] million that is adjacent to a county with a population of 1.2 [~~one~~] million or more.

SECTION 207.  Section 2308.209(b), Occupations Code, is amended to read as follows:

(b)  This section applies only to the unincorporated area of a county:

(1)  with a population of 450,000 or more that is adjacent to a county with a population of 3.3 million or more;

(2)  with a population of less than 9,000 [~~10,000~~] that is located in a national forest; or

(3)  adjacent to a county described by Subdivision (2) that has a population of less than 75,000.

SECTION 208.  Section 61.021(c), Parks and Wildlife Code, is amended to read as follows:

(c)  Subsection (b) applies only to hunting on land that is:

(1)  owned or leased by the Kickapoo Traditional Tribe of Texas; and

(2)  located in a county that:

(A)  borders the United Mexican States and has a population of more than 50,000 but less than 70,000; or

(B)  is adjacent to a county described by Paragraph (A) and has a population of less than 8,000 [~~9,000~~].

SECTION 209.  Section 5.0622(a), Property Code, is amended to read as follows:

(a)  This section applies only to a county with a population of less than 100,000 that is located in a metropolitan statistical area as defined by the federal Office of Management and Budget:

(1)  with a population of more than 1.5 million; and

(2)  adjacent to a different metropolitan statistical area as defined by the federal Office of Management and Budget with a population of more than 2.5 [~~2~~] million.

SECTION 210.  Section 201.001(a), Property Code, is amended to read as follows:

(a)  This chapter applies to a residential real estate subdivision that is located in whole or in part:

(1)  within a city that has a population of more than 100,000, or within the extraterritorial jurisdiction of such a city;

(2)  in the unincorporated area of:

(A)  a county having a population of 3.3 million or more; or

(B)  a county having a population of 50,000 [~~40,000~~] or more that is adjacent to a county having a population of 3.3 million or more; or

(3)  in the incorporated area of a county having a population of 50,000 [~~40,000~~] or more that is adjacent to a county having a population of 3.3 million or more.

SECTION 211.  Section 204.002(a), Property Code, is amended to read as follows:

(a)  This chapter applies only to a residential real estate subdivision, excluding a condominium development governed by Title 7[~~, Property Code,~~] that is located in whole or in part:

(1)  in a county with a population of 3.3 million or more;

(2)  in a county with a population of not less than 315,000 [~~285,000~~] and not more than 351,000 [~~300,000~~] that is adjacent to the Gulf of Mexico and that is adjacent to a county having a population of 3.3 million or more; or

(3)  in a county with a population of 275,000 or more that:

(A)  is adjacent to a county with a population of 3.3 million or more; and

(B)  contains part of a national forest.

SECTION 212.  Section 210.002, Property Code, is amended to read as follows:

Sec. 210.002.  APPLICABILITY OF CHAPTER.  This chapter applies to a residential real estate subdivision that is located in a county with a population of:

(1)  more than 200,000 and less than 233,500 [~~220,000~~]; or

(2)  more than 45,000 and less than 85,000 [~~80,000~~] that is adjacent to a county with a population of more than 200,000 and less than 233,500 [~~220,000~~].

SECTION 213.  Section 211.001(4), Property Code, is amended to read as follows:

(4)  "Residential real estate subdivision" or "subdivision" means all land encompassed within one or more maps or plats of land that is divided into two or more parts if:

(A)  the maps or plats cover land all or part of which is not located within a municipality and:

(i)  for a county with a population of less than 65,000, is not located within the extraterritorial jurisdiction of a municipality;

(ii)  for a county with a population of at least 65,000 and less than 135,000, is located wholly within the extraterritorial jurisdiction of a municipality; or

(iii)  for a county that borders Lake Buchanan and has a population of at least 21,000 [~~18,500~~] and less than 22,000 [~~19,500~~], is located wholly within the extraterritorial jurisdiction of a municipality;

(B)  the land encompassed within the maps or plats is or was burdened by restrictions limiting all or at least a majority of the land area covered by the map or plat, excluding streets and public areas, to residential use only; and

(C)  all instruments creating the restrictions are recorded in the deed or real property records of a county.

SECTION 214.  Section 211.002(a), Property Code, is amended to read as follows:

(a)  This chapter applies only to a residential real estate subdivision or any unit or parcel of a subdivision:

(1)  all or part of which is located within an unincorporated area of a county if the county has a population of less than 65,000;

(2)  all of which is located within the extraterritorial jurisdiction of a municipality located in a county that has a population of at least 65,000 and less than 135,000;

(3)  all of which is located within the extraterritorial jurisdiction of a municipality located in a county that borders Lake Buchanan and has a population of at least 21,000 [~~18,500~~] and less than 22,000 [~~19,500~~]; or

(4)  all or part of which is located within a county that borders Lake Livingston and has a population of less than 55,000 [~~50,000~~].

SECTION 215.  Section 6.41(b-2), Tax Code, is amended to read as follows:

(b-2)  An appraisal district board of directors for a district established in a county with a population of 1.2 [~~one~~] million or more by resolution of a majority of the board's members shall increase the size of the district's appraisal review board to the number of members the board of directors considers appropriate to manage the duties of the appraisal review board, including the duties of each special panel established under Section 6.425.

SECTION 216.  Section 11.18(p), Tax Code, is amended to read as follows:

(p)  The exemption authorized by Subsection (d)(23) applies only to property that:

(1)  is owned by a charitable organization that has been in existence for at least:

(A)  20 years if the property is located in a county described by Subdivision (4)(A); or

(B)  two years if the property is located in a municipality described by Subdivision (4)(B);

(2)  is located on a tract of land that:

(A)  is at least 15 acres in size; and

(B)  was either:

(i)  owned by the organization on July 1, 2021; or

(ii)  acquired by donation and owned by the organization on January 1, 2023;

(3)  is used to provide permanent housing and related services to individuals described by that subsection; and

(4)  is located in:

(A)  a county with a population of more than 1.2 [~~one~~] million and less than 1.5 million; or

(B)  a municipality with a population of more than 100,000 and less than 150,000 at least part of which is located in a county with a population of less than 5,500 [~~5,000~~].

SECTION 217.  Sections 11.1825(s) and (v), Tax Code, are amended to read as follows:

(s)  Unless otherwise provided by the governing body of a taxing unit any part of which is located in a county with a population of at least 2.1 [~~1.8~~] million under Subsection (x), for property described by Subsection (f)(1), the amount of the exemption under this section from taxation is 50 percent of the appraised value of the property.

(v)  Notwithstanding any other provision of this section, an organization may not receive an exemption from taxation of property described by Subsection (f)(1) by a taxing unit any part of which is located in a county with a population of at least 2.1 [~~1.8~~] million unless the exemption is approved by the governing body of the taxing unit in the manner provided by law for official action.

SECTION 218.  Section 11.315(b), Tax Code, is amended to read as follows:

(b)  A person is entitled to an exemption from taxation by a taxing unit of an energy storage system owned by the person if:

(1)  the exemption is adopted by the governing body of the taxing unit in the manner provided by law for official action by the governing body; and

(2)  the energy storage system:

(A)  is used, constructed, acquired, or installed wholly or partly to meet or exceed 40 C.F.R. Section 50.11 or any other rules or regulations adopted by any environmental protection agency of the United States, this state, or a political subdivision of this state for the prevention, monitoring, control, or reduction of air pollution;

(B)  is located in:

(i)  an area designated as a nonattainment area within the meaning of Section 107(d) of the federal Clean Air Act (42 U.S.C. Section 7407); and

(ii)  a municipality with a population of at least 150,000 [~~100,000~~] adjacent to a municipality with a population of more than two million;

(C)  has a capacity of at least 10 megawatts; and

(D)  is installed on or after January 1, 2014.

SECTION 219.  Section 31.03(d), Tax Code, is amended to read as follows:

(d)  This subsection applies only to a taxing unit located in a county having a population of not less than 315,000 [~~285,000~~] and not more than 351,000 [~~300,000~~] that borders a county having a population of 3.3 million or more and the Gulf of Mexico.  The governing body of a taxing unit that has its taxes collected by another taxing unit that has adopted the split-payment option under Subsection (a) may provide, in the manner required by law for official action by the body, that the split-payment option does not apply to the taxing unit's taxes collected by the other taxing unit.

SECTION 220.  Sections 31.11(a) and (i), Tax Code, are amended to read as follows:

(a)  If a taxpayer applies to the tax collector of a taxing unit for a refund of an overpayment or erroneous payment of taxes, the collector for the unit determines that the payment was erroneous or excessive, and the auditor for the unit agrees with the collector's determination, the collector shall refund the amount of the excessive or erroneous payment from available current tax collections or from funds appropriated by the unit for making refunds.  However, the collector may not make the refund unless:

(1)  in the case of a collector who collects taxes for one taxing unit, the governing body of the taxing unit also determines that the payment was erroneous or excessive and approves the refund if the amount of the refund exceeds:

(A)  $5,000 for a refund to be paid by a county with a population of 2.5 [~~two~~] million or more; or

(B)  $500 for a refund to be paid by any other taxing unit; or

(2)  in the case of a collector who collects taxes for more than one taxing unit, the governing body of the taxing unit that employs the collector also determines that the payment was erroneous or excessive and approves the refund if the amount of the refund exceeds:

(A)  $5,000 for a refund to be paid by a county with a population of 2.5 [~~two~~] million or more; or

(B)  $2,500 for a refund to be paid by any other taxing unit.

(i)  Notwithstanding the other provisions of this section, in the case of an overpayment or erroneous payment of taxes submitted by a taxpayer to a collector who collects taxes for one or more taxing units one of which is a county with a population of 2.5 [~~two~~] million or more:

(1)  a taxpayer is not required to apply to the collector for the refund to be entitled to receive the refund if the amount of the refund is at least $5 but does not exceed $5,000; and

(2)  the collector is not required to comply with Subsection (g) unless the amount of the payment exceeds by more than $5,000 the amount of taxes owed for a tax year to a taxing unit for which the collector collects taxes.

SECTION 221.  Section 156.2512(c)(1), Tax Code, is amended to read as follows:

(1)  "Eligible barrier island coastal municipality" means a municipality:

(A)  that borders on the Gulf of Mexico;

(B)  that is located wholly or partly on a barrier island; and

(C)  that:

(i)  includes an institution of higher education that is part of the Texas Coastal Ocean Observation Network under Section 33.065, Natural Resources Code;

(ii)  includes a national estuarine research reserve;

(iii)  is located within 30 miles of the United Mexican States; or

(iv)  has a population of less than 10,000 and is located in a county with a population of at least 370,000 [~~300,000~~] that is adjacent to a county with a population of at least 3,000,000.

SECTION 222.  Section 311.0091(a), Tax Code, is amended to read as follows:

(a)  This section applies to a reinvestment zone designated by a municipality which is wholly or partially located in a county with a population of less than 2.1 [~~1.8~~] million in which the principal municipality has a population of 1.1 million or more.

SECTION 223.  Section 311.013(m), Tax Code, is amended to read as follows:

(m)  The governing body of a municipality that is located in a county with a population of more than 2.1 [~~1.8~~] million but less than 2.5 [~~1.9~~] million or in a county with a population of 3.3 million or more by ordinance may reduce the portion of the tax increment produced by the municipality that the municipality is required to pay into the tax increment fund for the zone.  The municipality may not reduce under this subsection the portion of the tax increment produced by the municipality that the municipality is required to pay into the tax increment fund for the zone unless the municipality provides each county that has entered into an agreement with the municipality to pay all or a portion of the county's tax increment into the fund an opportunity to enter into an agreement with the municipality to reduce the portion of the tax increment produced by the county that the county is required to pay into the tax increment fund for the zone by the same proportion that the portion of the municipality's tax increment that the municipality is required to pay into the fund is reduced.  The portion of the tax increment produced by a municipality that the municipality is required to pay into the tax increment fund for a reinvestment zone, as reduced by the ordinance adopted under this subsection, together with all other revenues required to be paid into the fund, must be sufficient to complete and pay for the estimated costs of projects listed in the reinvestment zone financing plan and pay any tax increment bonds or notes issued for the zone, and any other obligations of the zone.

SECTION 224.  Section 311.017(a-1), Tax Code, as added by Chapter 137 (S.B. 1105), Acts of the 81st Legislature, Regular Session, 2009, is amended to read as follows:

(a-1)  This subsection applies only to a reinvestment zone created by a municipality that has a population of more than 256,000 [~~220,000~~] but less than 280,000 [~~235,000~~] and is the county seat of a county that has a population of 325,000 [~~280,000~~] or less. Notwithstanding Subsection (a)(1), a municipality by ordinance adopted subsequent to the ordinance adopted by the municipality creating a reinvestment zone may designate a termination date for the zone that is later than the termination date designated in the ordinance creating the zone but not later than the 20th anniversary of that date. If a municipality adopts an ordinance extending the termination date for a reinvestment zone as authorized by this subsection, the zone terminates on the earlier of:

(1)  the termination date designated in the ordinance; or

(2)  the date provided by Subsection (a)(2).

SECTION 225.  Section 325.021(a), Tax Code, is amended to read as follows:

(a)  A county having a population of 60,000 [~~55,000~~] or less that borders the Rio Grande containing a municipality with a population of more than 22,000 may adopt or abolish the sales and use tax authorized by this chapter at an election held in the county.

SECTION 226.  Section 327.007(a), Tax Code, is amended to read as follows:

(a)  Unless imposition of the sales and use tax authorized by this chapter is reauthorized as provided by this section, the tax expires on:

(1)  the fourth anniversary of the date the tax originally took effect under Section 327.005;

(2)  the first day of the first calendar quarter occurring after the fourth anniversary of the date the tax was last reauthorized under this section if, at that election, the voters approved the imposition of the tax for a period that expires on that anniversary;

(2-a)  if the tax is imposed in a municipality that is intersected by two interstate highways, that has a population of 150,000 or more, and in which at least 66 percent of the voters voting in each of the last two consecutive elections concerning the adoption or reauthorization of the tax favored adoption or reauthorization, and that tax has not expired as provided by Subdivision (1) or (2) since the first of those two consecutive elections, the last day of the first calendar quarter occurring after the eighth anniversary of the date the tax was last reauthorized under this section if, at that election, the voters approved the imposition of the tax for a period that expires on that anniversary instead of the period described by Subdivision (2); or

(3)  if the tax is imposed in a [~~general-law~~] municipality with a population of more than 11,450 and less than 11,550 [~~10,000 or more surrounded entirely by a municipality with a population of 1.3 million or more~~], the last day of the first calendar quarter occurring after the 10th anniversary of the date the tax was last reauthorized under this section if, at that election, the voters approved the imposition of the tax for a period that expires on that anniversary instead of the period described by Subdivision (2).

SECTION 227.  Section 351.001(7), Tax Code, is amended to read as follows:

(7)  "Eligible central municipality" means:

(A)  a municipality with a population of more than 140,000 but less than 1.5 million that is located in a county with a population of one million or more and that has adopted a capital improvement plan for the construction or expansion of a convention center facility;

(B)  a municipality with a population of 250,000 or more that:

(i)  is located wholly or partly on a barrier island that borders the Gulf of Mexico;

(ii)  is located in a county with a population of 300,000 or more; and

(iii)  has adopted a capital improvement plan to expand an existing convention center facility;

(C)  a municipality with a population of 200,000 [~~116,000~~] or more that:

(i)  is located in two counties both of which have a population of 900,000 [~~660,000~~] or more; and

(ii)  has adopted a capital improvement plan for the construction or expansion of a convention center facility;

(D)  a municipality with a population of less than 50,000 that contains a general academic teaching institution that is not a component institution of a university system, as those terms are defined by Section 61.003, Education Code; or

(E)  a municipality with a population of 640,000 or more that:

(i)  is located on an international border; and

(ii)  has adopted a capital improvement plan for the construction or expansion of a convention center facility.

SECTION 228.  Sections 351.101(a), (i), (j), (o), and (p), Tax Code, are amended to read as follows:

(a)  Revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry, and that use is limited to the following:

(1)  the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;

(2)  the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;

(3)  advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;

(4)  the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;

(5)  historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:

(A)  at or in the immediate vicinity of convention center facilities or visitor information centers; or

(B)  located elsewhere in the municipality or its vicinity that would be frequented by tourists and convention delegates;

(6)  expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity if:

(A)  the municipality is located in a county with a population of one million or less;

(B)  the municipality has a population of more than 67,000 and is located in two counties with 90 percent of the municipality's territory located in a county with a population of at least 800,000 [~~580,000~~], and the remaining territory located in a county with a population of at least four million; or

(C)  the municipality has a population of at least 200,000 and shares a border with:

(i)  a municipality with a population of at least 62,000 that:

(a)  borders Lake Ray Hubbard; and

(b)  is located in two counties, one of which has a population of less than 110,000 [~~described by Section 351.102(e)(7)~~]; and

(ii)  Lake Ray Hubbard;

(7)  subject to Section 351.1076, the promotion of tourism by the enhancement and upgrading of existing sports facilities or fields if:

(A)  the municipality owns the facilities or fields;

(B)  the municipality:

(i)  has a population of 80,000 or more and is located in a county that has a population of 610,000 [~~350,000~~] or less;

(ii)  has a population of at least 80,000 [~~75,000~~] but not more than 125,000 [~~95,000~~] and is located in a county that has a population of less than 240,000 [~~200,000~~] but more than 233,500 [~~160,000~~];

(iii)  has:

(a)  a population of at least 10,000 [~~36,000 but not more than 39,000~~] and is located in a county that has a population of more than 70,000 and borders Lake Livingston; or

(b)  [~~has~~] a population of 36,000 [~~100,000~~] or more and [~~less that~~] is located in a county with a population of less than 95,000 that borders Oklahoma [~~not adjacent to a county with a population of more than two million~~];

(iv)  has a population of at least 13,000 but less than 48,000 [~~39,000~~] and is located in a county that has a population of at least 200,000;

(v)  has a population of at least 70,000 but less than 90,000 and no part of which is located in a county with a population greater than 150,000;

(vi)  is located in a county that:

(a)  is adjacent to the Texas-Mexico border;

(b)  has a population of at least 500,000; and

(c)  does not have a municipality with a population greater than 500,000;

(vii)  [~~has a population of at least 25,000 but not more than 26,000 and~~] is located in a county that has a population of 100,000 [~~90,000~~] or less and the municipality has a population of:

(a)  more than 24,400 and less than 25,000; or

(b)  more than 28,150 and less than 31,000;

(viii)  is located in a county that has a population of not more than 300,000 and in which a component university of the University of Houston System is located;

(ix)  has a population of at least 40,000 and the San Marcos River flows through the municipality;

(x)  has a population of more than 67,000 and is located in two counties with 90 percent of the municipality's territory located in a county with a population of at least 800,000 [~~580,000~~], and the remaining territory located in a county with a population of at least four million;

(xi)  contains an intersection of Interstates 35E and 35W and at least two public universities; or

(xii)  is described by Subdivision (6)(C); and

(C)  the sports facilities and fields have been used, in the preceding calendar year, a combined total of more than 10 times for district, state, regional, or national sports tournaments;

(8)  for a municipality with a population of at least 70,000 but less than 90,000, no part of which is located in a county with a population greater than 150,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility;

(9)  signage directing the public to sights and attractions that are visited frequently by hotel guests in the municipality;

(10)  the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility, if the municipality:

(A)  has a population of at least 90,000 but less than 120,000; and

(B)  is located in two counties, at least one of which contains the headwaters of the San Gabriel River; and

(11)  for a municipality with a population of more than 175,000 but less than 225,000 that is located in two counties, each of which has a population of less than 200,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility and related infrastructure or a venue, as defined by Section 334.001(4), Local Government Code, that is related to the promotion of tourism.

(i)  In addition to the purposes provided by Subsection (a), a municipality that has a population of at least 80,000 [~~75,000~~] but not more than 125,000 [~~95,000~~] and that is located in a county  that has a population of more than 233,500 [~~160,000~~] but less than 240,000 [~~200,000~~] may use revenue from the municipal hotel tax to promote tourism and the convention and hotel industry by constructing, operating, or expanding a sporting related facility or sports field owned by the municipality, if the majority of the events at the facility or field are directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels in the municipality.

(j)  In addition to the purposes provided by Subsection (a), a municipality that has a population of not more than 5,500 [~~5,000~~] and at least part of which is located less than one-eighth of one mile from a space center operated by an agency of the federal government may use revenue from the municipal hotel occupancy tax for expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity.

(o)  In addition to the purposes provided by Subsection (a), a municipality that has a population of not more than 15,200 [~~10,000~~], that contains an outdoor gear and sporting goods retailer with retail space larger than 175,000 square feet, and that hosts an annual wiener dog race may use revenue from the municipal hotel occupancy tax to promote tourism and the convention and hotel industry by constructing, operating, or expanding a sporting related facility or sports field owned by the municipality, if the majority of the events at the facility or field are directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels in the municipality.  If a municipality to which this subsection applies uses revenue derived from the municipal hotel occupancy tax for a purpose described by this subsection, the municipality may not reduce the percentage of revenue from that tax allocated for a purpose described by Subsection (a)(3) to a percentage that is less than the average percentage of that revenue allocated by the municipality for that purpose during the 36-month period preceding the date the municipality begins using the revenue for a purpose described by this subsection.

(p)  In addition to the purposes provided by Subsection (a), a municipality with a population of more than 70,000 [~~48,000~~] but less than 115,000 [~~95,000~~] that is located in two counties, one of which has a population of at least 1.1 million [~~900,000~~] but less than 1.9 [~~1.7~~] million, may use revenue from the municipal hotel occupancy tax to promote tourism and the convention and hotel industry by constructing, improving, equipping, repairing, maintaining, operating, or expanding a coliseum or multiuse facility if the majority of the events at the coliseum or facility attract tourists who substantially increase economic activity at hotels in the municipality.

SECTION 229.  Section 351.1015(b), Tax Code, is amended to read as follows:

(b)  This section applies only to a qualified project located in a municipality with a population of at least 700,000 [~~650,000~~] but less than 950,000 [~~750,000~~] according to the most recent federal decennial census.

SECTION 230.  Section 351.102(e), Tax Code, is amended to read as follows:

(e)  Subsection (b) applies only to:

(1)  a municipality with a population of two million or more;

(2)  a municipality with a population of 700,000 or more but less than 1.4 [~~1.3~~] million;

(3)  a municipality with a population of 350,000 or more but less than 450,000 in which at least two professional sports stadiums are located, each of which:

(A)  has a seating capacity of at least 40,000 people; and

(B)  was approved by the voters of the municipality as a sports and community venue project under Chapter 334, Local Government Code; and

(4)  a municipality with a population of less than 2,000 that:

(A)  is located adjacent to a bay connected to the Gulf of Mexico;

(B)  is located in a county with a population of 290,000 or more that is adjacent to a county with a population of four million or more; and

(C)  has a boardwalk on the bay.

SECTION 231.  Section 351.104(a), Tax Code, is amended to read as follows:

(a)  This section applies only to a home-rule municipality that borders a bay, that has a population of less than 85,000 [~~80,000~~], and that is not an eligible coastal municipality.

SECTION 232.  Section 351.1066(a), Tax Code, is amended to read as follows:

(a)  This section applies only to:

(1)  a municipality with a population of at least 3,500 but less than 5,500 that is the county seat of a county with a population of less than 50,000 that borders a county with a population of more than 1.6 million;

(2)  a municipality with a population of at least 2,800 [~~2,900~~] but less than 3,500 that is the county seat of a county with a population of less than 22,000 that is bordered by the Trinity River and includes a state park and a portion of a wildlife management area;

(3)  a municipality with a population of at least 8,000 [~~7,500~~] that is located in a county that borders the Pecos River and that has a population of not more than 15,000;

(4)  a municipality with a population of not more than 15,000 that is located in a county through which the Frio River flows and an interstate highway crosses, and that has a population of at least 15,000;

(5)  a municipality with a population of not less than 7,500 that is located in a county with a population of not less than 40,000 but less than 250,000 that is adjacent to a county with a population of less than 750;

(6)  a municipality that is the county seat of a county with a population of at least 8,500 and that county contains part of the Chaparral Wildlife Management Area; and

(7)  a municipality that has a population of not more than 25,000, that contains a cultural heritage museum, and that is located in a county that borders the United Mexican States and the Gulf of Mexico.

SECTION 233.  Section 351.10692(a), Tax Code, is amended to read as follows:

(a)  This section applies only to a municipality with a population of less than 5,000 [~~2,000~~] located in a county that:

(1)  is adjacent to the county in which the State Capitol is located; and

(2)  has a population of:

(A)  not more than 25,000; or

(B)  at least 200,000 [~~100,000~~] but not more than 300,000 [~~200,000~~].

SECTION 234.  Section 351.1071(a), Tax Code, is amended to read as follows:

(a)  This section applies only to a municipality:

(1)  that has a population of not more than 5,500 [~~5,000~~]; and

(2)  at least part of which is located less than one-eighth of one mile from a space center operated by an agency of the federal government.

SECTION 235.  Section 351.10712(a), Tax Code, is amended to read as follows:

(a)  This section applies only to:

(1)  a municipality with a population of at least 95,000 that is located in a county that is bisected by United States Highway 385 and has a population of not more than 170,000 [~~140,000~~]; and

(2)  a municipality located in a county that has a population of not more than 300,000 and in which a component university of the University of Houston System is located.

SECTION 236.  Section 351.152, Tax Code, is amended to read as follows:

Sec. 351.152.  APPLICABILITY.  This subchapter applies only to:

(1)  a municipality described by Section 351.001(7)(B);

(2)  a municipality described by Section 351.001(7)(D);

(3)  a municipality described by Section 351.001(7)(E);

(4)  a municipality described by Section 351.102(e)(3);

(5)  a municipality that contains more than 70 [~~75~~] percent of the population of a county with a population of 1.5 million or more;

(6)  a municipality with a population of 175,000 [~~150,000~~] or more but less than 200,000 that is partially located in at least one county with a population of 125,000 or more;

(7)  a municipality with a population of 250,000 [~~150,000~~] or more but less than one million that is located in one county with a population of 2.5 [~~2.3~~] million or more;

(8)  a municipality with a population of 180,000 or more that:

(A)  is located in two counties, each with a population of 100,000 or more; and

(B)  contains an American Quarter Horse Hall of Fame and Museum;

(9)  a municipality with a population of 96,000 or more that is located in a county that borders Lake Palestine;

(10)  a municipality with a population of 96,000 or more that is located in a county that contains the headwaters of the San Gabriel River;

(11)  a municipality with a population of at least 95,000 [~~99,900 or more but less than 111,000~~] that is located in a county that is bisected by United States Highway 385 and has [~~with~~] a population of not more than 170,000 [~~135,000 or more~~];

(12)  a municipality with a population of 110,000 or more but less than 135,000 at least part of which is located in a county with a population of less than 135,000;

(13)  a municipality with a population of 28,000 [~~9,000~~] or more but less than 31,000 [~~10,000~~] that is located in two counties, each of which has a population of 900,000 [~~662,000~~] or more and a southern border with a county with a population of 2.5 [~~2.3~~] million or more;

(14)  a municipality with a population of 200,000 or more but less than 300,000 that contains a component institution of the Texas Tech University System;

(15)  a municipality with a population of 95,000 or more that:

(A)  is located in more than one county; and

(B)  borders Lake Lewisville;

(16)  a municipality with a population of 45,000 or more that:

(A)  contains a portion of Cedar Hill State Park;

(B)  is located in two counties, one of which has a population of 2.5 [~~two~~] million or more and one of which has a population of 190,000 [~~149,000~~] or more; and

(C)  has adopted a capital improvement plan for the construction or expansion of a convention center facility;

(17)  a municipality with a population of less than 10,000 [~~6,000~~] that:

(A)  is almost wholly located in a county with a population of 900,000 [~~600,000~~] or more that is adjacent to a county with a population of 2.5 [~~two~~] million or more;

(B)  is partially located in a county with a population of 2.1 [~~1.8~~] million or more that is adjacent to a county with a population of 2.5 [~~two~~] million or more;

(C)  has a visitor center and museum located in a 19th-century rock building in the municipality's downtown; and

(D)  has a waterpark open to the public;

(18)  a municipality with a population of 60,000 [~~56,000~~] or more that:

(A)  borders Lake Ray Hubbard; and

(B)  is located in two counties, one of which has a population of less than 110,000 [~~80,000~~];

(19)  a municipality with a population of 110,000 [~~83,000~~] or more that:

(A)  borders Clear Lake; and

(B)  is primarily located in a county with a population of less than 355,000 [~~300,000~~];

(20)  a municipality with a population of less than 2,000 that:

(A)  is located adjacent to a bay connected to the Gulf of Mexico;

(B)  is located in a county with a population of 290,000 or more that is adjacent to a county with a population of four million or more; and

(C)  has a boardwalk on the bay;

(21)  a municipality with a population of 75,000 or more that:

(A)  is located wholly in one county with a population of 800,000 [~~575,000~~] or more that is adjacent to a county with a population of four million or more; and

(B)  has adopted a capital improvement plan for the construction or expansion of a convention center facility;

(22)  a municipality with a population of less than 70,000 [~~75,000~~] that is located in three counties, at least one of which has a population of four million or more;

(23)  an eligible coastal municipality with a population of 2,900 [~~3,000~~] or more but less than 5,000;

(24)  a municipality with a population of 90,000 or more but less than 150,000 that:

(A)  is located in three counties; and

(B)  contains a branch campus of a component institution of the University of Houston System;

(25)  a municipality that is:

(A)  primarily located in a county with a population of four million or more; and

(B)  connected by a bridge to a municipality described by Subdivision (20);

(26)  a municipality with a population of 25,000 [~~20,000~~] or more but less than 30,000 [~~25,000~~] that:

(A)  contains a portion of Mustang Bayou; and

(B)  is wholly located in a county with a population of less than 500,000;

(27)  a municipality with a population of 70,000 or more but less than 90,000 that is located in two counties, one of which has a population of four million or more and the other of which has a population of less than 50,000;

(28)  a municipality with a population of 10,000 or more that:

(A)  is wholly located in a county with a population of four million or more; and

(B)  has a city hall located less than three miles from a space center operated by an agency of the federal government;

(29)  a municipality that is the county seat of a county:

(A)  through which the Pedernales River flows; and

(B)  in which the birthplace of a president of the United States is located;

(30)  a municipality that contains a portion of U.S. Highway 79 and State Highway 130;

(31)  a municipality with a population of 70,000 [~~48,000~~] or more but less than 115,000 [~~95,000~~] that is located in two counties, one of which has a population of 1.1 million [~~900,000~~] or more but less than 1.9 [~~1.7~~] million;

(32)  a municipality with a population of less than 25,000 that contains a museum of Western American art;

(33)  a municipality with a population of 50,000 or more that is the county seat of a county that contains a portion of the Sam Houston National Forest;

(34)  a municipality with a population of less than 25,000 that:

(A)  contains a cultural heritage museum; and

(B)  is located in a county that borders the United Mexican States and the Gulf of Mexico;

(35)  a municipality that is the county seat of a county that:

(A)  has a population of 115,000 or more;

(B)  is adjacent to a county with a population of 2.1 [~~1.8~~] million or more; and

(C)  hosts an annual peach festival;

(36)  a municipality that is the county seat of a county that:

(A)  has a population of 800,000 [~~585,000~~] or more; and

(B)  is adjacent to a county with a population of four million or more;

(37)  a municipality with a population of less than 10,000 that:

(A)  contains a component university of The Texas A&M University System; and

(B)  is located in a county adjacent to a county that borders Oklahoma;

(38)  a municipality with a population of less than 17,000 [~~6,100~~] that:

(A)  is located in two counties, each of which has a population of 900,000 [~~600,000~~] or more but less than two million; and

(B)  hosts an annual Cajun Festival;

(39)  a municipality with a population of 13,000 or more that:

(A)  is located on an international border; and

(B)  is located in a county:

(i)  with a population of less than 400,000; and

(ii)  in which at least one World Birding Center site is located;

(40)  a municipality with a population of 3,200 [~~4,000~~] or more that:

(A)  is located on an international border; and

(B)  is located not more than five miles from a state historic site that serves as a visitor center for a state park that contains 300,000 or more acres of land;

(41)  a municipality with a population of 36,000 or more that is adjacent to at least two municipalities described by Subdivision (15);

(42)  a municipality with a population of 28,000 or more in which is located a historic railroad depot and heritage center;

(43)  a municipality located in a county that has a population of not more than 300,000 and in which a component university of the University of Houston System is located;

(44)  a municipality with a population of less than 500,000 that is:

(A)  located in two counties; and

(B)  adjacent to a municipality described by Subdivision (31); and

(45)  a municipality that:

(A)  has a population of more than 67,000; and

(B)  is located in two counties with 90 percent of the municipality's territory located in a county with a population of at least 800,000 [~~580,000~~], and the remaining territory located in a county with a population of at least four million.

SECTION 237.  Sections 352.002(a), (a-1), (d), (p), and (y), Tax Code, are amended to read as follows:

(a)  The commissioners courts of the following counties by the adoption of an order or resolution may impose a tax on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs $2 or more each day, and is ordinarily used for sleeping:

(1)  a county that has a population of more than 3.3 million;

(2)  a county that has a population of 90,000 or more, borders the United Mexican States, does not border the Gulf of Mexico, and does not have four or more cities that each have a population of more than 25,000;

(3)  a county in which there is no municipality;

(4)  a county in which there is located an Indian reservation under the jurisdiction of the United States government;

(5)  a county that has a population of 30,000 or less, that has no more than one municipality with a population of less than 2,500, and that borders two counties located wholly in the Edwards Aquifer Authority established by Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993;

(6)  a county that borders the Gulf of Mexico;

(7)  a county that has a population of less than 5,000, that borders the United Mexican States, and in which there is located a major observatory;

(8)  a county that has a population of 12,000 or less and borders the Toledo Bend Reservoir;

(9)  a county that has a population of less than 12,500 and an area of less than 275 square miles and does not border a county that borders Arkansas and Louisiana;

(10)  a county that has a population of 30,000 or less and borders Possum Kingdom Lake;

(11)  a county that borders a county with a population of more than 300,000 and the United Mexican States and has a population of more than 300,000 and less than 900,000 [~~800,000~~];

(12)  a county that has a population of 35,000 or more and borders or contains a portion of Lake Fork Reservoir;

(13)  a county that borders the United Mexican States and in which there is located a national recreation area;

(14)  a county that borders the United Mexican States and in which there is located a national park of more than 400,000 acres;

(15)  a county that has a population of 28,000 or less, that has no more than four municipalities, and that is located wholly in the Edwards Aquifer Authority established by Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993;

(16)  a county that has a population of 25,000 or less, whose territory is less than 750 square miles, and that has two incorporated municipalities, each with a population of 800 or less, at least one of which is located on the Frio River;

(17)  a county that has a population of 34,000 or more and borders Lake Buchanan;

(18)  a county that has a population of more than 45,000 and less than 75,000, that borders the United Mexican States, and that borders or contains a portion of Falcon Lake;

(19)  a county with a population of 22,000 or less that borders the Neches River and in which there is located a national preserve;

(20)  a county that has a population of 28,000 or less and that borders or contains a portion of Lake Livingston;

(21)  a county through which the Pedernales River flows and in which the birthplace of a president of the United States is located;

(22)  a county that has a population of 35,000 or less [~~more than 15,000 but less than 20,000~~] and borders Lake Buchanan;

(23)  a county with a population of less than 11,000 that is bordered by the Sulphur River;

(24)  a county that has a population of 16,000 or more and borders the entire north shore of Lake Somerville;

(25)  a county that has a population of 20,000 or less and that is bordered by the Brazos and Navasota Rivers;

(26)  a county that has a population of more than 15,000 and less than 25,000 and is located on the Trinity and Navasota Rivers;

(27)  a county that has a population of less than 15,000 and that is bordered by the Trinity and Navasota Rivers;

(28)  a county that borders or contains a portion of the Neches River, the Sabine River, and Sabine Lake; and

(29)  a county that borders Whitney Lake.

(a-1)  In addition to the counties described by Subsection (a), the commissioners court of a county in which an airport essential to the economy of the county is located may by the adoption of an order or resolution impose a tax on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs $2 or more each day, and is ordinarily used for sleeping.  For the purposes of this subsection, an airport is considered to be essential to the economy of a county only if the airport is a commercial-service international airport within Class C airspace and is located in a county and owned by a municipality each having a population of less than 170,000 [~~150,000~~].  This subsection does not apply to a county described by Subsection (a)(13).

(d)  The tax imposed by a county authorized by Subsection (a)(6), (8), (9), (10), (11), (14), (15), (17), (19), (20), (21), (23), or (29) to impose the tax does not apply to a hotel located in a municipality that imposes a tax under Chapter 351 applicable to the hotel.  This subsection does not apply to:

(1)  a county authorized by Subsection (a)(6) to impose the tax that:

(A)  has a population of less than 50,000 [~~40,000~~] and adjoins the most populous county in this state; or

(B)  has a population of more than 200,000 and borders the Neches River; or

(2)  a county authorized by Subsection (a)(9) to impose the tax that has a population of more than 11,000 [~~9,000~~].

(p)  The commissioners court of a county that has a population of 100,000 [~~80,000~~] or less, in which two state parks are located, and through which the Colorado River flows but that is not bordered by that river may impose a tax as authorized by Subsection (a).

(y)  The commissioners court of a county with a population of 170,000 [~~110,000~~] or more through which the Guadalupe River flows may impose a tax as provided by Subsection (a).  The tax imposed under this subsection does not apply to a hotel located in a municipality that:

(1)  has a population of 80,000 [~~50,000~~] or more;

(2)  is the county seat of a county adjacent to the county to which this subsection applies; and

(3)  imposes a tax under Chapter 351 applicable to the hotel.

SECTION 238.  Section 352.003(e), Tax Code, is amended to read as follows:

(e)  The tax rate in a county authorized to impose the tax under Section 352.002(a)(6) and that has a population of less than 50,000 [~~40,000~~] and adjoins the most populous county in this state may not exceed three percent of the price paid for a room in a hotel.

SECTION 239.  Section 22.053(a), Transportation Code, is amended to read as follows:

(a)  The commissioners court of a county with a population of 12,200 [~~14,300~~] to 12,400 [~~14,500~~] may issue time warrants to:

(1)  condemn or purchase land to be used and maintained as provided by Sections 22.011, 22.020, and 22.024; and

(2)  improve and equip the land for the use provided by Sections 22.011, 22.020, and 22.024.

SECTION 240.  Section 172.211(a), Transportation Code, is amended to read as follows:

(a)  This section applies only to a county that:

(1)  is adjacent to a county with a population of four million or more;

(2)  has a population of 370,000 [~~300,000~~] or more; and

(3)  has created a district by concurrent order with an adjacent county pursuant to Section 172.052.

SECTION 241.  Section 223.052(a), Transportation Code, is amended to read as follows:

(a)  This section applies only to a municipality that:

(1)  is partially located in three counties, two of which have a population of 2.1 [~~1.8~~] million or more;

(2)  is primarily located in a county with a population of 2.1 [~~1.8~~] million or more; and

(3)  has within its boundaries all or part of an international airport operated jointly by two municipalities.

SECTION 242.  Section 284.002(a), Transportation Code, is amended to read as follows:

(a)  Except as provided by Subsection (b), this chapter applies only to a county that:

(1)  has a population of 50,000 or more and borders the Gulf of Mexico or a bay or inlet opening into the gulf;

(2)  has a population of 2.5 [~~two~~] million or more;

(3)  is adjacent to a county that has a population of 2.5 [~~two~~] million or more; or

(4)  borders the United Mexican States.

SECTION 243.  Section 285.001(b), Transportation Code, is amended to read as follows:

(b)  The commissioners court of a county with a population of more than 870,000 [~~700,000 and less than 800,000~~] that borders the United Mexican States by order may regulate the activities described by Subsection (a) in the manner described by that subsection, except that:

(1)  the regulation of activities on or in the right-of-way of a public highway or road is limited to public highways and roads with a speed limit of 40 miles per hour or faster; and

(2)  the county may not prohibit the sale of livestock.

SECTION 244.  Section 362.055, Transportation Code, is amended to read as follows:

Sec. 362.055.  EXCEPTION.  This subchapter does not apply to:

(1)  a county that has a population of more than 2.5 [~~two~~] million;

(2)  a local government corporation created under Chapter 431 by a county that has a population of more than 2.5 [~~two~~] million; or

(3)  a regional tollway authority created under Chapter 366.

SECTION 245.  Section 366.031(a), Transportation Code, is amended to read as follows:

(a)  Two or more counties, acting through their respective commissioners courts, may by order passed by each commissioners court create a regional tollway authority under this chapter if:

(1)  one of the counties has a population of not less than 300,000;

(2)  the counties form a contiguous territory; and

(3)  unless one of the counties has a population of 2.5 [~~two~~] million or more, the commission approves the creation.

SECTION 246.  Section 370.192, Transportation Code, is amended to read as follows:

Sec. 370.192.  PROPERTY OF RAPID TRANSIT AUTHORITIES.  An authority may not condemn or purchase real property of a rapid transit authority operating pursuant to Chapter 451 that was confirmed before July 1, 1985, and in which the principal municipality has a population of less than 1.3 million [~~850,000~~], unless the authority has entered into a written agreement with the rapid transit authority specifying the terms and conditions under which the condemnation or the purchase of the real property will take place.

SECTION 247.  Section 396.041(c), Transportation Code, is amended to read as follows:

(c)  An ordinance may:

(1)  impose a fee of $25 for the issuance or renewal of a license;

(2)  impose a fee of not more than:

(A)  $150 for the issuance or renewal of a license, if the ordinance is adopted by the commissioners court of a county with a population of 2.1 [~~one~~] million or more that contains two or more municipalities, each of which has a population of 350,000 [~~250,000~~] or more; or

(B)  $500 for the issuance or renewal of a license, if the ordinance is adopted by the commissioners court of a county with a population of 3.3 million or more;

(3)  condition the license on the operation of the junkyard or automotive wrecking and salvage yard only at a location approved by the commissioners court or a county employee designated by the commissioners court; or

(4)  establish grounds for suspending or revoking a license if the junkyard or automotive wrecking and salvage yard is not screened.

SECTION 248.  Section 451.061(d-1), Transportation Code, is amended to read as follows:

(d-1)  The establishment of or a change to fares, tolls, charges, rents, and other compensation by an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 1.3 million [~~850,000~~], takes effect immediately on approval by a majority vote of the board, except that the establishment of or a change to a single-ride base fare takes effect on the 60th day after the date the board approves the fare or change to the fare, unless the policy board of the metropolitan planning organization that serves the area of the authority disapproves the fare or change to the fare by a majority vote.

SECTION 249.  Section 451.068(a), Transportation Code, is amended to read as follows:

(a)  An authority confirmed before July 1, 1985, and in which the principal municipality has a population of less than 1.3 million [~~850,000~~] may, through the operation of a program, charge no fares.

SECTION 250.  Section 451.071(a), Transportation Code, is amended to read as follows:

(a)  This section applies only to an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 1.3 million [~~850,000~~].

SECTION 251.  Section 451.106(a), Transportation Code, is amended to read as follows:

(a)  The board of an authority in which the principal municipality has a population of less than 1.3 million [~~850,000~~] or more than 1.9 million shall employ a general manager to administer the daily operation of the authority.  The general manager may, subject to the annual operating budget and to the personnel policies adopted by the board, employ persons to conduct the affairs of the authority and prescribe their duties and compensation.

SECTION 252.  Section 451.108(c), Transportation Code, is amended to read as follows:

(c)  A peace officer commissioned under this section, except as provided by Subsections (d) and (e), or a peace officer contracted for employment by an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 1.3 million [~~850,000~~], may:

(1)  make an arrest in any county in which the transit authority system is located as necessary to prevent or abate the commission of an offense against the law of this state or a political subdivision of this state if the offense or threatened offense occurs on or involves the transit authority system;

(2)  make an arrest for an offense involving injury or detriment to the transit authority system;

(3)  enforce traffic laws and investigate traffic accidents that involve or occur in the transit authority system; and

(4)  provide emergency and public safety services to the transit authority system or users of the transit authority system.

SECTION 253.  Section 451.109(d), Transportation Code, is amended to read as follows:

(d)  This section does not apply to an authority in which the principal municipality has a population of 1.3 million [~~850,000~~] or more but not more than 1.9 million.

SECTION 254.  Section 451.3625(a), Transportation Code, is amended to read as follows:

(a)  This section applies only to an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 1.3 million [~~850,000~~].

SECTION 255.  Section 451.452(d), Transportation Code, is amended to read as follows:

(d)  This section applies only to an authority in which the principal municipality has a population of more than 1.9 million or less than 1.3 million [~~850,000~~], except that Subsections (a)(5) and (6) do not apply to an authority in which the principal municipality has a population of more than 1.9 million.

SECTION 256.  Section 451.454(a), Transportation Code, is amended to read as follows:

(a)  The board of an authority in which the principal municipality has a population of more than 1.9 million or less than 1.3 million [~~850,000~~] shall contract at least once every four years for a performance audit of the authority to be conducted by a firm that has experience in reviewing the performance of transit agencies.

SECTION 257.  Section 451.458(a), Transportation Code, is amended to read as follows:

(a)  This section applies only to an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 1.3 million [~~850,000~~].

SECTION 258.  Section 451.460(a), Transportation Code, is amended to read as follows:

(a)  This section applies only to an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 1.3 million [~~850,000~~].

SECTION 259.  Section 451.5021(a), Transportation Code, is amended to read as follows:

(a)  This section applies only to the board of an authority created before July 1, 1985, in which the principal municipality has a population of less than 1.3 million [~~850,000~~].

SECTION 260.  Section 451.506(c), Transportation Code, is amended to read as follows:

(c)  An individual may serve two terms as presiding officer under Section 451.502(e)(3), in addition to any service on the board before being appointed under that subsection.  This subsection does not apply to an individual serving on the board of an authority described by Subsection (b) or an authority confirmed before July 1, 1985, and in which the principal municipality has a population of less than 1.3 million [~~850,000~~].

SECTION 261.  Sections 451.509(a), (c), and (d), Transportation Code, are amended to read as follows:

(a)  In an authority in which the principal municipality has a population of less than 1.3 million [~~850,000~~] and in which the authority's sales and use tax is imposed at a rate of one percent, a member of the board may be removed from office for any ground described by Section 451.510 by a majority vote of the entity that appointed the member.

(c)  In an authority in which the principal municipality has a population of more than 1.3 million [~~850,000~~], a member of the board may be removed for any ground described by Section 451.510 by the person or entity that appointed the member.  If the person who appointed the member is the mayor of the principal municipality, the removal is by recommendation of the mayor and confirmation by the municipality's governing body.  If the member to be removed was appointed by the mayor of the principal municipality, the statement required by Section 451.511(a) shall be given by the mayor, and confirmation of removal by the governing body of the municipality is necessary.

(d)  In an authority in which the principal municipality has a population of less than 1.3 million [~~850,000~~] or more than 1.9 million, a general manager who has knowledge that a potential ground for removal applicable to a member of the authority's board exists shall notify the presiding officer of the board of the ground, and the presiding officer shall notify the person that appointed the member against whom the potential ground applies of the ground.

SECTION 262.  Section 451.512(a), Transportation Code, is amended to read as follows:

(a)  Except as provided by Subsection (b), in an authority in which the principal municipality has a population of less than 1.3 million [~~850,000~~] or more than 1.9 million, an action of the board is not invalid because a ground for removal of a board member exists.

SECTION 263.  Section 451.513(a), Transportation Code, is amended to read as follows:

(a)  A board member of an authority that has a principal municipality with a population of more than 1.3 million [~~850,000~~] may be removed, as provided by this section, on a petition for the recall of the member submitted by the registered voters of the authority.  Recall of a member under this section is in addition to any other method for removal under this subchapter.

SECTION 264.  Section 451.602, Transportation Code, is amended to read as follows:

Sec. 451.602.  AUTHORITIES COVERED BY SUBCHAPTER.  Except as provided by Section 451.617, this subchapter applies only to an authority in which the principal municipality has a population of less than 1.3 million [~~850,000~~] and that was confirmed before July 1, 1985.

SECTION 265.  Section 502.403(f), Transportation Code, is amended to read as follows:

(f)  A municipality with a population greater than 1.3 million [~~850,000~~] shall deposit revenue from a fee imposed under this subsection to the credit of the child safety trust fund created under Section 106.001, Local Government Code. A municipality with a population less than 1.3 million [~~850,000~~] shall use revenue from a fee imposed under this section in accordance with Article 102.014(g), Code of Criminal Procedure.

SECTION 266.  Section 541.201(1), Transportation Code, is amended to read as follows:

(1)  "Authorized emergency vehicle" means:

(A)  a fire department or police vehicle;

(B)  a public or private ambulance operated by a person who has been issued a license by the Department of State Health Services;

(C)  an emergency medical services vehicle:

(i)  authorized under an emergency medical services provider license issued by the Department of State Health Services under Chapter 773, Health and Safety Code; and

(ii)  operating under a contract with an emergency services district that requires the emergency medical services provider to respond to emergency calls with the vehicle;

(D)  a municipal department or public service corporation emergency vehicle that has been designated or authorized by the governing body of a municipality;

(E)  a county-owned or county-leased emergency management vehicle that has been designated or authorized by the commissioners court;

(F)  a vehicle that has been designated by the department under Section 546.0065;

(G)  a private vehicle of a volunteer firefighter or a certified emergency medical services employee or volunteer when responding to a fire alarm or medical emergency;

(H)  an industrial emergency response vehicle, including an industrial ambulance, when responding to an emergency, but only if the vehicle is operated in compliance with criteria in effect September 1, 1989, and established by the predecessor of the Texas Industrial Emergency Services Board of the State Firefighters' [~~Firemen's~~] and Fire Marshals' Association of Texas;

(I)  a vehicle of a blood bank or tissue bank, accredited or approved under the laws of this state or the United States, when making emergency deliveries of blood, drugs, medicines, or organs;

(J)  a vehicle used for law enforcement purposes that is owned or leased by a federal governmental entity; or

(K)  a private vehicle of an employee or volunteer of a county emergency management division in a county with a population of more than 52,600 [~~46,500~~] and less than 55,000 [~~48,000~~] that is designated as an authorized emergency vehicle by the commissioners court of that county.

SECTION 267.  Section 644.101(b), Transportation Code, is amended to read as follows:

(b)  A police officer of any of the following municipalities is eligible to apply for certification under this section:

(1)  a municipality with a population of 50,000 or more;

(2)  a municipality with a population of 25,000 or more any part of which is located in a county with a population of 500,000 or more;

(3)  a municipality with a population of less than 25,000:

(A)  any part of which is located in a county with a population of 3.3 million; and

(B)  that contains or is adjacent to an international port;

(4)  a municipality with a population of at least 34,000 that is located in a county that borders two or more states;

(5)  a municipality any part of which is located in a county bordering the United Mexican States;

(6)  a municipality with a population of less than 5,000 that is located:

(A)  adjacent to a bay connected to the Gulf of Mexico; and

(B)  in a county adjacent to a county with a population greater than 3.3 million;

(7)  a municipality that is located:

(A)  within 25 miles of an international port; and

(B)  in a county that does not contain a highway that is part of the national system of interstate and defense highways and is adjacent to a county with a population greater than 3.3 million;

(8)  a municipality with a population of less than 8,500 that:

(A)  is the county seat; and

(B)  contains a highway that is part of the national system of interstate and defense highways;

(9)  a municipality located in a county with a population between 60,000 and 69,000 [~~66,000~~] adjacent to a bay connected to the Gulf of Mexico;

(10)  a municipality with a population of more than 40,000 and less than 50,000 that is located in a county with a population of more than 285,000 and less than 300,000 that borders the Gulf of Mexico;

(11)  a municipality with a population between 32,000 and 50,000 that is located entirely in a county that:

(A)  has a population of less than 250,000;

(B)  is adjacent to two counties that each have a population of more than 1.2 million; and

(C)  contains two highways that are part of the national system of interstate and defense highways;

(12)  a municipality with a population of more than 4,500 [~~3,000~~] and less than 10,000 that:

(A)  contains a highway that is part of the national system of interstate and defense highways; and

(B)  is located in a county with a population between 175,000 [~~150,000~~] and 190,000 [~~155,000~~];

(13)  a municipality with a population of less than 75,000 that is located in three counties, at least one of which has a population greater than 3.3 million;

(14)  a municipality with a population between 13,900 [~~14,000~~] and 17,000 that:

(A)  contains three or more numbered United States highways; and

(B)  is located in a county that is adjacent to a county with a population of more than 200,000; or

(15)  a municipality with a population of less than 50,000 that is located in:

(A)  a county that generated $20 million or more in tax revenue collected under Chapters 201 and 202, Tax Code, from oil and gas production during the preceding state fiscal year; or

(B)  a county that is adjacent to two or more counties described by Paragraph (A).

SECTION 268.  Section 644.202(b), Transportation Code, is amended to read as follows:

(b)  A municipality with a population of more than 1.3 million [~~850,000~~] shall develop a route for commercial motor vehicles carrying hazardous materials on a road or highway in the municipality and submit the route to the Texas Department of Transportation for approval. If the Texas Department of Transportation determines that the route complies with all applicable federal and state regulations regarding the transportation of hazardous materials, the Texas Department of Transportation shall approve the route and notify the municipality of the approved route.

SECTION 269.  Section 701.001(c), Transportation Code, is amended to read as follows:

(c)  The limitation on the number of deputies that may be employed under Subsections (a) and (b) does not apply to a county with a population of more than 2.5 [~~two~~] million.

SECTION 270.  Section 35.037(a), Utilities Code, as added by Chapter 426 (S.B. 3), Acts of the 87th Legislature, Regular Session, 2021, is amended to read as follows:

(a)  This section only applies in a county with a population of more than 1.2 [~~one~~] million in which a national wildlife refuge is wholly or partly located.

SECTION 271.  Section 36.354(g), Utilities Code, is amended to read as follows:

(g)  For the purposes of this section, the term "military base" does not include a military base:

(1)  that has been closed or realigned under the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. Section 2687) and its subsequent amendments;

(2)  that is administered by an authority established by a municipality under Chapter 379B, Local Government Code;

(3)  that is operated by or for the benefit of the Texas National Guard, as defined by Section 437.001, Government Code, unless the base is served by a municipally owned utility owned by a city with a population of 900,000 [~~650,000~~] or more; or

(4)  for which a municipally owned utility has acquired the electric distribution system under 10 U.S.C. Section 2688.

SECTION 272.  Section 37.102(a), Utilities Code, is amended to read as follows:

(a)  If a municipal corporation offers retail electric utility service in a municipality having a population of more than 151,000 [~~145,000~~] that is located in a county having a population of more than 2.5 [~~2~~] million, the commission shall singly certificate areas in the municipality's boundaries in which more than one electric utility provides electric utility service.

SECTION 273.  Section 13.1395(a)(1), Water Code, is amended to read as follows:

(1)  "Affected utility" means a retail public utility, exempt utility, or provider or conveyor of potable or raw water service that furnishes water service to more than one customer:

(A)  in a county with a population of 3.3 million or more; or

(B)  in a county with a population of 800,000 [~~550,000~~] or more adjacent to a county with a population of 3.3 million or more.

SECTION 274.  Sections 13.245(c-5) and (c-6), Water Code, are amended to read as follows:

(c-5)  Subsections (c-1), (c-2), (c-3), and (c-4) do not apply to:

(1)  a county that borders the United Mexican States and the Gulf of Mexico or a county adjacent to such a county;

(2)  a county with a population of more than 30,000 and less than 36,000 [~~35,000~~] that borders the Red River; or

(3)  a county with a population of more than 100,000 and less than 200,000 that borders a county described by Subdivision (2).

(c-6)  Subsections (c-1), (c-2), (c-3), and (c-4) do not apply to:

(1)  a county with a population of 170,000 [~~130,000~~] or more that is adjacent to a county with a population of 1.5 million or more that is within 200 miles of an international border; or

(2)  a county with a population of more than 40,000 and less than 50,000 that contains a portion of the San Antonio River.

SECTION 275.  Sections 13.2451(b-2) and (b-3), Water Code, are amended to read as follows:

(b-2)  Subsection (b) does not apply to an extension of extraterritorial jurisdiction in a county:

(1)  with a population of more than 30,000 and less than 36,000 [~~35,000~~] that borders the Red River; or

(2)  with a population of more than 100,000 and less than 200,000 that borders a county described by Subdivision (1).

(b-3)  Subsection (b) does not apply to an extension of extraterritorial jurisdiction in a county:

(1)  with a population of 170,000 [~~130,000~~] or more that is adjacent to a county with a population of 1.5 million or more that is within 200 miles of an international border; or

(2)  with a population of more than 40,000 and less than 50,000 that contains a portion of the San Antonio River.

SECTION 276.  Sections 13.254(a-10) and (a-11), Water Code, are amended to read as follows:

(a-10)  Subsection (a-8) does not apply to a county:

(1)  with a population of more than 30,000 and less than 36,000 [~~35,000~~] that borders the Red River; or

(2)  with a population of more than 100,000 and less than 200,000 that borders a county described by Subdivision (1).

(a-11)  Subsection (a-8) does not apply to a county:

(1)  with a population of 170,000 [~~130,000~~] or more that is adjacent to a county with a population of 1.5 million or more that is within 200 miles of an international border; or

(2)  with a population of more than 40,000 and less than 50,000 that contains a portion of the San Antonio River.

SECTION 277.  Section 13.2541(b), Water Code, is amended to read as follows:

(b)  As an alternative to decertification or expedited release under Section 13.254, the owner of a tract of land that is at least 25 acres and that is not receiving water or sewer service may petition for expedited release of the area from a certificate of public convenience and necessity in the manner provided by this section and is entitled to that release if the landowner's property is located in a county with a population of at least 1.2 [~~one~~] million, a county adjacent to a county with a population of at least 1.2 [~~one~~] million, or a county with a population of more than 200,000 and less than 233,500 [~~220,000~~] that does not contain a public or private university that had a total enrollment in the most recent fall semester of 40,000 or more, and not in a county that has a population of more than 50,500 [~~45,500~~] and less than 52,000 [~~47,500~~].

SECTION 278.  Section 26.179(o), Water Code, is amended to read as follows:

(o)  This section does not apply to an area within the extraterritorial jurisdiction of a municipality with a population greater than 1.3 million [~~900,000~~] that has extended to the extraterritorial jurisdiction of the municipality an ordinance whose purpose is to prevent the pollution of an aquifer which is the sole or principal drinking water source for the municipality.

SECTION 279.  Section 26.3476(b), Water Code, is amended to read as follows:

(b)  An underground storage tank system, at a minimum, shall incorporate a method for secondary containment if the system is located in:

(1)  the outcrop of a major aquifer composed of limestone and associated carbonate rocks of Cretaceous age or older; and

(2)  a county that:

(A)  has a population of at least 1.2 [~~one~~] million and relies on groundwater for at least 75 percent of the county's water supply; or

(B)  has a population of at least 75,000 and is adjacent to a county described by Paragraph (A).

SECTION 280.  Section 36.121, Water Code, is amended to read as follows:

Sec. 36.121.  LIMITATION ON RULEMAKING POWER OF DISTRICTS OVER WELLS IN CERTAIN COUNTIES. Except as provided by Section 36.117, a district that is created under this chapter on or after September 1, 1991, shall exempt from regulation under this chapter a well and any water produced or to be produced by a well that is located in a county that has a population of 15,500 [~~14,000~~] or less if the water is to be used solely to supply a municipality that has a population of 125,500 [~~121,000~~] or less and the rights to the water produced from the well are owned by a political subdivision that is not a municipality, or by a municipality that has a population of 133,000 [~~115,000~~] or less, and that purchased, owned, or held rights to the water before the date on which the district was created, regardless of the date the well is drilled or the water is produced. The district may not prohibit the political subdivision or municipality from transporting produced water inside or outside the district's boundaries.

SECTION 281.  Section 51.537(a), Water Code, is amended to read as follows:

(a)  This section applies only to a municipality any portion of which is located in a county with a population of more than 1.2 [~~1~~] million and less than 1.5 million.

SECTION 282.  Section 54.016(h), Water Code, is amended to read as follows:

(h)  A city, other than a city with a population of more than one million that is located primarily in a county with a population of 2.5 [~~two~~] million or more, may provide in its written consent for the inclusion of land in a district that after annexation the city may set rates for water and/or sewer services for property that was within the territorial boundary of such district at the time of annexation, which rates may vary from those for other properties within the city for the purpose of wholly or partially compensating the city for the assumption of obligation under this code providing that:

(1)  such written consent contains a contract entered into by the city and the persons petitioning for creation of the district setting forth the time and/or the conditions of annexation by the city which annexation shall not occur prior to the installation of 90 percent of the facilities for which district bonds were authorized in the written consent; and that

(2)  the contract sets forth the basis on which rates are to be charged for water and/or sewer services following annexation and the length of time they may vary from those rates charged elsewhere in the city; and that

(3)  the contract may set forth the time, conditions, or lands to be annexed by the district; and that

(4)(A)  Each purchaser of land within a district which has entered into a contract with a city concerning water and/or sewer rates as set forth herein shall be furnished by the seller at or prior to the final closing of the sale and purchase with a separate written notice, executed and acknowledged by the seller, which shall contain the following information:

(i)  the basis on which the monthly water and/or sewer rate is to be charged under the contract stated as a percentage of the water and/or sewer rates of the city;

(ii)  the length of time such rates will be in effect;

(iii)  the time and/or conditions of annexation by the city implementing such rates.

The provisions of Sections 49.452(g)-(p) and (s), Water Code, are herein incorporated by reference thereto, and are applicable to the separate written notice required by Section 54.016(h)(4).

A suit for damages under the provisions of these referenced sections must be brought within 90 days after the purchaser receives his or her first water and/or sewer service charge following annexation, or the purchaser loses his or her right to seek damages under this referenced section.

(B)  The governing board of any district covered by the provisions of this subsection shall file with the county clerk in each of the counties in which all or part of the district is located a duly affirmed and acknowledged statement which includes the information required in Section 54.016(h)(4)(A) and a complete and accurate map or plat showing the boundaries of the district.

The provisions of Sections 49.455(c)-(j), Water Code, are herein incorporated by reference thereto.

SECTION 283.  Section 54.813(a), Water Code, is amended to read as follows:

(a)  This section applies only to a municipality any portion of which is located in a county with a population of more than 1.2 [~~1~~] million and less than 1.5 million.

SECTION 284.  Section 1, Chapter 511 (H.B. 589), Acts of the 58th Legislature, Regular Session, 1963 (Article 2676a, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1.  From and after the effective date of this act in any county in this state having a population of not less than 372,000 [~~312,000~~] and not more than 400,000 [~~330,000~~], the general management and control of the public free schools and high schools in each county unless otherwise provided by law shall be vested in five (5) county school trustees elected from the county, one of whom shall be elected from the county at large by the qualified voters of the county and one from each commissioners precinct by the qualified voters of each commissioners precinct, who shall hold office for a term of two (2) years. The time for such election shall be the first Saturday in April of each year; the order for the election of county school trustees to be made by the County Judge at least thirty (30) days prior to the date of said election, and which order shall designate as voting places or places at which votes are cast for the district trustees of said common and independent school districts, respectively. The election officers appointed to hold the election for district trustees in each of said school districts, respectively, shall hold this election for county school trustees.

SECTION 285.  Section 1, Chapter 233 (H.B. 459), Acts of the 59th Legislature, Regular Session, 1965 (Article 2676b, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1.  This Act applies to a county-wide school district in a county having a population of more than 4,700 [~~5,250~~] and less than 4,900 [~~5,350~~]. The Board of Trustees may order that the trustees of the district shall run at large in the county. If the Board orders that its members shall run at large, each position shall be filled by election from the county at large upon expiration of the current term of office.

SECTION 286.  Section 1(b), Chapter 63 (S.B. 100), Acts of the 57th Legislature, 3rd Called Session, 1962 (Article 2688h, Vernon's Texas Civil Statutes), is amended to read as follows:

(b)  From and after May 1, 1962, the office of the county board of school trustees and the office of county superintendent shall cease to exist in any county in this State having a population of not less than 315,000 [~~285,000~~] and not more than 351,000 [~~300,000~~] which has no common school district and whose county ad valorem evaluation is in excess of Two Hundred Fifty Million Dollars ($250,000,000); provided, however, that the county superintendents in such counties who have been heretofore elected or appointed to the office of county superintendent shall serve until the expiration of the term for which they were elected or appointed. The duties now performed by the board of school trustees and county superintendents in such counties shall be performed by the County Judges of such counties.

SECTION 287.  Sections 5 and 6, Chapter 706 (H.B. 1015), Acts of the 59th Legislature, Regular Session, 1965 (Article 2688i-1, Vernon's Texas Civil Statutes), are amended to read as follows:

Sec. 5.  The provisions of this Act shall not apply to counties having a population of not less than 4,700 [~~5,250~~] and not more than 4,900 [~~5,350~~] and to counties having a population of not less than 57,000 [~~54,000~~] and not more than 57,900 [~~54,500~~].

Sec. 6.  No county having a population of more than 28,450 [~~30,000~~] and less than 29,000 or a population of more than 31,045 and less than 31,247 [~~32,000~~] shall have the offices of county school superintendent, ex officio county school superintendent, and county board of education.

All duties and functions, except as hereafter provided, that are otherwise required by law of the office of county school superintendent or ex officio county school superintendent governed by this section shall be performed by the superintendents of the independent and rural high school districts, and all duties that may otherwise be required by law of the county board of education governed by this section shall be performed by the elected Board of Trustees of such independent and rural high school districts, except that the County Judge shall, without pay from the State of Texas, continue to approve or disapprove application for school transfers. The Commissioners Court of such county shall hereafter receive, hear and pass upon all petitions for the calling of elections for the creation, change or abolishment of county school districts and all authorized appeals from the independent school Board of Trustees shall be made directly to the State Board of Education or to the courts as provided by law.

All school records of the original independent and/or common school district governed by this section, shall be transferred to the control and custody of the independent school district office, located at the county seat, save and except the original financial records which shall be retained by the county treasurer, and thereafter the County Judge shall be required to make no records or reports but said reports shall be made by the superintendent of such independent or rural school district; that as soon as practicable after the effective date of this Act, all remaining State funds in the hands of the county board of education shall be transferred by the county treasurer and the County Judge to the independent and rural high school districts in proportion to the number of scholastics enrolled in such districts.

SECTION 288.  Section 31A(b), Texas Local Fire Fighters Retirement Act (Article 6243e, Vernon's Texas Civil Statutes), is amended to read as follows:

(b)  This section applies only to a municipality:

(1)  with a population of less than 200,000;

(2)  that is located in a county with a population of not less than 2.5 [~~2~~] million and not more than 4 million;

(3)  that has a regularly organized fire department for which a retirement system and fund have been established under Section 4 of this Act; and

(4)  that before January 1, 2017, has one or more departments participating in the Texas Municipal Retirement System.

SECTION 289.  Section 1.01, Chapter 183 (S.B. 598), Acts of the 64th Legislature, Regular Session, 1975 (Article 6243e.1, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1.01.  APPLICABILITY. This Act applies only to a municipality having a population of more than 950,000 [~~750,000~~] and less than 1,050,000 [~~850,000~~].

SECTION 290.  Section 1, Chapter 103 (S.B. 622), Acts of the 62nd Legislature, Regular Session, 1971 (Article 6243f-1, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1.  No member of a fire department in any city or town in this state having a population of not less than 900,000 [~~700,000~~] nor more than 950,000 [~~750,000~~] shall be involuntarily retired prior to reaching the mandatory retirement age set for such cities' employees unless he is physically unable to perform his duties. In the event he is physically unable to perform his duties, he shall be allowed to use all of his accumulated sick leave, before retirement.

SECTION 291.  Section 1(a), Chapter 451 (S.B. 737), Acts of the 72nd Legislature, Regular Session, 1991 (Article 6243n, Vernon's Texas Civil Statutes), is amended to read as follows:

(a)  A retirement system is established by this Act for employees of each municipality having a population of more than 950,000 [~~760,000~~] and less than 1,050,000 [~~860,000~~].

SECTION 292.  Section 1.01, Chapter 452 (S.B. 738), Acts of the 72nd Legislature, Regular Session, 1991 (Article 6243n-1, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1.01.  APPLICABILITY AND DEFINITIONS. This Act applies only to a municipality having a population of more than 950,000 [~~750,000~~] and less than 1,050,000 [~~850,000~~].

SECTION 293.  Section 1.03, Chapter 824 (S.B. 817), Acts of the 73rd Legislature, Regular Session, 1993 (Article 6243o, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1.03.  APPLICABILITY. This Act applies to paid fire and police departments of a municipality with a population between 1.4 [~~1.3~~] million and 1.7 [~~1.5~~] million.

SECTION 294.  Section 1.03, Chapter 1332 (S.B. 1568), Acts of the 75th Legislature, Regular Session, 1997 (Article 6243q, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1.03.  APPLICABILITY. This Act applies to a paid fire and police department of a municipality with a population of 1.4 [~~1.3~~] million or more but less than 1.7 [~~1.5~~] million.

SECTION 295.  Section 1, Chapter 809 (H.B. 1687), Acts of the 62nd Legislature, Regular Session, 1971 (Article 6812b-1, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1.  The Commissioners Court of any county having a population of not less than 620,000 [~~425,000~~] nor more than 700,000 [~~500,000~~] may appoint a County Engineer, but the selection shall be controlled by considerations of skill and ability for the task. The engineer may be selected at any regular meeting of the commissioners court, or at any special meeting called for that purpose. The engineer selected shall be a Registered Professional Engineer in the State of Texas. The engineer shall hold his office for a period of two years, his term of office expiring concurrently with the terms of other county officers, and he may be removed at the pleasure of the commissioners court. The engineer shall receive a salary to be fixed by the commissioners court not to exceed the amount of the salary paid to the highest county official, to be paid out of the Road and Bridge Fund. The engineer, before entering upon the discharge of his duties, shall take the oath of office prescribed by law, and shall execute a bond in the sum of $15,000 with a good and sufficient surety or sureties thereon, payable to the county judge of the county and successors in office in trust, for the use and the benefit of the Road and Bridge Fund, of the county to be approved by the court, conditioned that such engineer will faithfully and efficiently discharge and perform all of the duties required of him by law and by the orders of said commissioners court and shall faithfully and honestly and in due time account for all of the money, property and materials placed in his custody.

SECTION 296.  (a)  This Act is not intended to revive a law that was impliedly repealed by a law enacted by the 87th Legislature or a previous legislature.

(b)  To the extent that a law enacted by the 88th Legislature, Regular Session, 2023, conflicts with this Act, the other law prevails, regardless of the relative dates of enactment or the relative effective dates.

SECTION 297.  This Act takes effect September 1, 2023.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

    President of the Senate Speaker of the House

I certify that H.B. No. 4559 was passed by the House on April 27, 2023, by the following vote:  Yeas 145, Nays 0, 1 present, not voting.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chief Clerk of the House

I certify that H.B. No. 4559 was passed by the Senate on May 17, 2023, by the following vote:  Yeas 31, Nays 0.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Secretary of the Senate

APPROVED:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                    Date

           \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                  Governor